

met that responsibility, if we continue to line the pockets of lobbyists with 39 billion dollars' worth of public money?

These lobbyists are exploiting their status as nonprofit grant recipients. The time has come to say "no more." Too many groups have spent too much money to promote the narrow self-interests of too few. Say "no" to this outrage by voting "yes" to the Istook-McIntosh-Ehrlich amendment. Vote to end Welfare for Lobbyists.

PROVIDING FOR CONSIDERATION
OF H.R. 2492, LEGISLATIVE
BRANCH APPROPRIATIONS ACT,
1996

Mr. DIAZ-BALART. Madam Speaker, by direction of the Committee on Rules, I call up House Resolution 239 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 239

Resolved, That upon the adoption of this resolution it shall be in order to consider in the House the bill (H.R. 2492) making appropriations for the Legislative Branch for the fiscal year ending September 30, 1996, and for other purposes. The bill shall be debatable for one hour equally divided and controlled by the chairman and ranking minority member of the Committee on Appropriations. The previous question shall be considered as ordered on the bill to final passage without intervening motion except one motion to recommit.

The SPEAKER pro tempore (Mr. UPTON). The gentleman from Florida [Mr. DIAZ-BALART] is recognized for 1 hour.

Mr. DIAZ-BALART. Mr. Speaker, for the purposes of debate only, I yield the customary 30 minutes to the gentleman from Texas [Mr. FROST], pending which I yield myself such time as I may consume. During consideration of this resolution, all time yielded is for the purpose of debate only.

(Mr. DIAZ-BALART asked and was given permission to insert extraneous material into the RECORD.)

Mr. DIAZ-BALART. Mr. Speaker, House Resolution 239 is a closed rule, which is entirely appropriate in this circumstance in order to provide for the timely consideration of the legislative branch appropriations bill. The President vetoed the conference report on this bill on October 3, after it had easily passed both the House and Senate, and in his veto message, claimed he had no problem with the bill's content, merely its timing. Therefore, we do not need to relive the amending process, and rather than going through the process of a veto override attempt, we should pass this bill quickly so that we can move on to the remaining spending bills.

The rule provides for consideration of the bill in the House, with 1 hour of general debate, to be equally divided and controlled by the chairman and ranking minority member of the Committee on Appropriations. Also, the rule provides one motion to recommit.

House Resolution 239 brings to the floor H.R. 2492, which is identical to the conference report on H.R. 1854, which passed the House on September 6 by an overwhelming vote of 305 to 101. This bill has strong bipartisan support, and even the President described the bill in his veto message as "A disciplined bill, one that I would sign under different circumstances." The House will have shortly completed action on all the spending bills, and the President has now signed both the military construction and agriculture appropriations measures. When H.R. 2492 reaches the President's desk, hopefully the President will also sign this bill, this time.

One issue that arose at the Rules Committee has been debated in many settings, including during debate on the rule on the Transportation appropriations conference report last week—gift ban legislation. Many of us would like to see action on this issue as soon as possible, and in case any of you missed the announcement by the majority leader last week, our leadership is planning to have a lobbying reform bill and tough new gift restrictions on the House floor by November 16. According to the majority leader, the Senate language will serve as the starting point, and later this week, we will be holding a hearing at Rules on the issue. Many Members would like the opportunity to improve on the Senate language, and therefore merely attaching the Senate bill to an appropriations measure in the House is not the way to proceed now that we have a commitment to move gift reform as a separate piece of legislation. Although it was argued that the legislative branch appropriations bill was "an appropriate vehicle," it is nonetheless not germane to attach the Senate gift ban to this bill. Let's give the topic of gift reform the opportunity to be fully debated in the context of its own legislation.

As a Member of Congress who serves on both of the Speaker-appointed committees, and in my role on the Committee on House Oversight, I am very proud of the reforms achieved in the legislative branch appropriations bill, based on the recommendations by House Oversight. We had some tough choices to make, but getting our own House in order and cutting our own budget was a necessary and important first step in the long and difficult road toward achieving a balanced Federal budget.

Mr. Speaker, as you will recall from the House's consideration of this bill in June, and again in September, H.R. 2492 incorporates House oversight plans to greatly reform the internal workings of the House of Representatives. This bill is below the subcommittee's 602(b) allocation and is over 8 percent below last year's spending level. Additionally, H.R. 2492 consolidates offices and paves the way for the privatization of some functions that may be less costly when performed by the private sector.

I would like to commend Chairman THOMAS, Chairman PACKARD, ranking member FAZIO, and of course Chairman LIVINGSTON, for their excellent work in bringing this bill forward.

Mr. Speaker, House Resolution 239 is necessary to preserve the agreements reached in conference, and agreed to in the House and Senate, on legislative branch appropriations. I urge adoption of both the rule and the bill.

Mr. Speaker, I reserve the balance of my time.

□ 1030

Mr. FROST. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise in strong opposition to the rule providing for the consideration of H.R. 2492. I oppose this rule for one simple reason: The Republican majority has again denied the House the opportunity to use this bill as the vehicle to finally consider and pass real congressional reform.

The Republican majority has spent the last 10 months talking about the reforms the American people voted for last November. But talk is all we have gotten when it comes to enacting a gift ban and reforming lobby laws. I must ask, Mr. Speaker, is the Republican party all talk and no action? The majority leader has time and again promised action on these issues, but time and again the Republican majority has denied the full House the opportunity to take a vote on what the Republicans claim they were elected and sent to Washington to do.

My colleague, the gentlewoman from Utah [Mrs. WALDHOLTZ], has stated her intention to introduce new gift ban and lobby reform legislation and our chairman, the gentleman from New York [Mr. SOLOMON], has stated his intention to hold hearings on this matter. But, I must again ask why do we need to keep on talking about this issue when the opportunity to take action is right here and right now. Because this rule will not allow the House to consider this issue today that I will oppose ordering the previous question on this resolution and will seek to amend the rule to permit the House to consider gift ban and lobby reform legislation.

Mr. Speaker, we have heard many promises from the Republican leadership that this important reform will be considered by November 16. But Mr. Speaker, since January promises have been made only to be broken. I do not question the sincerity of the pledges made by my chairman or my Rules Committee colleague, but again, I must ask why wait when we can act right now?

Mr. Speaker, when the Rules Committee considered this rule 2 weeks ago, I offered an amendment to the rule proposed by the Republican majority. My amendment would have allowed for the consideration of the gift ban and lobby reform legislation sponsored by my friend, the gentleman from Texas [Mr. BRYANT]. At that meeting—2 weeks ago Mr. Speaker—

the Republican majority stated that the legislative branch appropriations bill was not the proper vehicle to consider such legislation. And even if it were, the legislation introduced by Mr. BRYANT was in need of improvement. And so, instead of allowing the House the opportunity to make the so-called needed improvements to the Bryant proposal, much less consider it at all, the Republican majority proceeded to vote on a strict party line vote against my amendment to the rule.

Mr. Speaker, it seems to me that if the Republican majority were so dedicated to the principle of reforming the House, then any bill would be the appropriate vehicle to carry such important reforms. And, Mr. Speaker, if Mr. BRYANT's legislation is so flawed why then should we not bring the original proposal of Mrs. WALDHOLTZ to the floor and amend that proposal as needed? And, in addition to the Waldholtz proposal, why not consider the lobby reform proposal of the gentleman from Pennsylvania [Mr. MCHALE], whose bill has nine Republican cosponsors? Why not, Mr. Speaker?

Since the Speaker's Task Force on Reform has not consulted with the Democratic members of the Rules Committee, we can only speculate about which amendments may be considered necessary to improve the Bryant proposal. I have read in the newspaper that the majority leader is considering rethinking the provision of the Senate-passed gift-ban relating to Members' attendance at charity golf, skiing, and tennis tournaments. Does the Republican majority believe that allowing Members to attend these events for free is a significant improvement on a ban on the acceptance of gifts from those who lobby Congress and seek to influence the legislative process?

I have also read that the majority leader thinks the lobby reform legislation might also be the appropriate vehicle to attach a ban on lobbying by nonprofit groups—such as the American Red Cross or the YWCA—who receive Federal grants. Mr. Speaker, as the majority leader well knows, attaching that issue to this legislation is a sure way to guarantee that nothing is done this year and probably next year. And, Mr. Speaker, what kind of reform is it that allows Members to play golf with lobbyists at exclusive country clubs while at the same time prohibiting the Red Cross from lobbying in our offices?

And so, in order to allow the House to consider proposals adopted by the Senate last summer, it is my intention to offer an amendment to this rule which would allow the House to consider the Waldholtz and McHale proposals along with the legislative branch appropriations bill.

Mr. Speaker, this rule is being used as a convenient way to avoid directly addressing an issue that truly does resonate outside the beltway. Briefings and hearings in the Rules Committee

really don't mean much to my constituents. Many of them pay very close attention to the United We Stand movement and support for this issue is considered to be a paramount test of an incumbent's willingness to truly reform the Congress. And, I suspect, on this issue, actions will indeed speak louder than briefings and hearings.

Mr. Speaker, I have repeatedly offered amendments in the Rules Committee which would, had they been adopted by the Republican majority, afforded the House the opportunity to vote on the gift ban and lobby reform legislation. It is time to stop talking about reform and to start enacting reform. I would urge my colleagues to vote for real congressional reform and to defeat the previous question in order that this rule can be amended to allow the consideration of gift ban-lobby reform legislation.

Mr. Speaker, I reserve the balance of my time.

Mr. DIAZ-BALART. Mr. Speaker, I yield 3 minutes to the distinguished gentleman from California [Mr. PACKARD].

Mr. PACKARD. Mr. Speaker, I thank the gentleman for yielding me time.

Mr. Speaker, it is obvious the gentleman from Texas is not opposed to this bill. It is obvious that his only intent in opposing the rule is that it does not permit for a debate on a totally separate and independent issue. The majority leader has made a very clear and succinct promise that the gift ban issue will be brought up within the next couple of weeks, and I think that that is what we fully intend to do.

There is no question that the gift ban needs to be debated at length and in detail on the floor of the House, and it will be. But an hour's debate on a bill that is totally unrelated to it is not the best time nor the place to do it.

I am convinced that the 2 weeks is not going to do harm to the issue. The President has indicated that this is a good bill. This is a good rule. It permits us to readdress the bill that he vetoed for extraneous reasons, totally unrelated to the merits of the bill. Thus, the appropriate thing is for us to pass this rule, to debate the bill, to pass the bill, send it to the President, along with several other appropriations bills, and then debate the gift ban issue at the appropriate time and with the appropriate amount of time to do it properly.

The gentleman from Texas [Mr. BRYANT] surely would not wish for us to limit the debate on the gift ban to 1 hour. It deserves more than that. It is not without controversy, and certainly what would be the time to do it, when we have time.

Mr. BRYANT of Texas. Mr. Speaker, will the gentleman yield?

Mr. PACKARD. I yield to the gentleman from Texas.

Mr. BRYANT of Texas. Mr. Speaker, I thank the gentleman for yielding.

Mr. Speaker, I would like to limit the debate to an hour on very many issues,

but I would point out to the gentleman, we passed this bill by an overwhelming margin in the House last year. It passed by an overwhelming margin when it was a conference committee report. It would be the law today, but for the fact it was filibustered by the Republicans in the Senate at the end of the last session. We are only asking that we take up what has been adopted and passed by the Senate.

Mr. PACKARD. Mr. Speaker, reclaiming my time, the gentleman will get exactly what he is asking for, but not on this bill. It will come up within the 2 week period that has been promised. I am convinced it will happen. Then the gentleman will have an opportunity to debate it in far greater detail than as a rider on a totally unrelated bill.

Mr. FROST. Mr. Speaker, I yield 5 minutes to the gentleman from Texas [Mr. BRYANT].

(Mr. BRYANT of Texas asked and was given permission to revise and extend his remarks.)

Mr. BRYANT of Texas. Mr. Speaker, I thank the gentleman for yielding me this time.

Mr. Speaker, I would like to first say that the observations and exchange of just a moment ago with regard to the possibility that this matter may be brought up in the future should cause every Member to ask why we are moving as we are moving today. I think it has been answered in part already by the gentleman from Texas [Mr. FROST] who pointed out that this promise has been made over and over and over, and now the entire year has nearly gone by here, and still nothing has been done with regard to limiting the ability of a Member of Congress to take free tickets, free golf, free travel, free recreational travel in the guise of charitable tournaments and so forth, from lobbyists, whose job is to influence our decisions on matters that affect the American public.

It has been promised over and over, but it has not happened. Worse, in the press conference that the gentleman from Texas [Mr. ARMEY], the majority leader, had last week, he suggested that maybe we need to make some alterations in the Senate rules. Now, the Senate already has these rulings in effect in the Senate. Maybe we ought to alter them if we are going to make them apply to the House, so we can allow more of these charitable golf tournaments.

Mr. Speaker, I submit the American people do not want that kind of alteration. If we are delaying taking this up so that we can drag this whole matter back through a bunch of hearings, hash it over again and again, when it has passed the House twice last year, and it is now the rules in the Senate, just to delay it so a few Members can continue to play free golf and take advantage of their job and embarrass all the rest of the House of Representatives by showing up on the television magazine

shows, then my answer is, we ought to go ahead and act today.

Let me mention the activities of one Member of the House. I will not call his name, but I am reading from his financial disclosure statement. This is 1988. This Member played in the Bob Hope Charity Classic, where he got \$350 in golf clothing and accessories, by the way, as a little bonus for playing. In the Kemper Open Golf Tournament, the Houston Golf Association Golf Tournament, the Danny Thomas Memorial Golf Tournament, the Larry Bird Charity Golf Tournament. In all of these he got between \$150 and \$300 in gifts at the same time.

In 1989 five more golf tournaments, just the same as the ones I just read.

In 1990, he really hit the big time. The Bob Hope, the Kemper, the Youthlinks, the Mazda, the Danny Thomas, the GTE, the ACLI Golf Tournament. Big bags of gifts all the way.

In 1991, he kept on going to these golf tournaments, and so on and so forth.

I just submit, there is a question about if this guy has too much free time. I mean, playing golf every single weekend someplace, a fancy golf tournament, getting a bag of free gifts, no wonder he comes down to the floor and hollars and hoots and says we ought not to pass any gift legislation.

I just submit, this is a grotesque embarrassment to the House of Representatives. We ought to end it right now. What the gentleman from Texas [Mr. FROST] has said we are going to do is attempt to defeat the previous question on this rule so that we can bring up the Senate gift bill, which has been introduced here by me, but also been introduced by the gentlewoman from Utah [Mrs. WALDHOLTZ].

□ 1045

We are going to bring up the gentlewoman from Utah, Mrs. WALDHOLTZ's, version of the Senate gift bill which is in effect in the Senate now. It has 17 Republican cosponsors. And we will bring up the gentleman from Pennsylvania, Mr. MCHALE's, lobby reform bill, which has 9 Republican cosponsors.

If the previous question is defeated, we will take this up immediately and we will pass it and we will be through with this interminable argument, and we will be able to guarantee to the American people that the next 2 weeks, before this, I do not know, third, or fourth or fifth time the Majority Leader has offered us a deadline for voting, that in the next 2 weeks we will not spend our time trying to find a way to water down a common-sense set of regulations with regard to the ability of a Member of the House of Representatives to take free gifts and free golf and free food and free everything else from the very lobbyists that are hired to influence us in making decisions.

Mr. Speaker, it is a common-sense strategy. I submit that if we, and I am speaking to the Members of the House, do not want to see more of these maga-

zine shows where a few Members of the House are pictured running all over the place in golf carts, on beaches, and everywhere else, getting freebies from lobbyists, then for goodness sakes vote down the previous question and let us pass this thing and be done with it.

Mr. MILLER of California. Mr. Speaker, will the gentleman yield?

Mr. BRYANT of Texas. I yield to the gentleman from California.

Mr. MILLER of California. Mr. Speaker, there is a discussion here about whether or not they want to change, the Republicans want to change the gift rule to allow for charity golf outings. I think the list that the gentleman just read makes a point here that, in each of these instances, these are sponsored by corporate entities that have business before the Congress of the United States. Most Members of Congress that play in a charity golf tournament of that nature could not name the charity that is the beneficiary or the charities that are the beneficiaries. What they know is they got there because Kemper invited them or some insurance association invited them, not because the charity invited them.

Mr. BRYANT of Texas. Mr. Speaker, I thank the gentleman for his additions to my remarks.

Mr. DIAZ-BALART. Mr. Speaker, I yield myself such time as I may consume.

We are at this time facing before us the rule for the legislative branch appropriations bill. Last Friday, Mr. Speaker, the majority leader committed to having votes in the House on both the lobbying bill and the gift reform rule on or before November 16. Yesterday my colleague on the Committee on Rules, the gentlewoman from Utah [Mrs. WALDHOLTZ], introduced House Resolution 250, which is identical to the Senate rule.

Today, the chairman of the Committee on Rules announced the first hearing on this resolution at 10 a.m. this Thursday. We then intend to hold another hearing next week to report the resolution, Mr. Speaker, The Committee on the Judiciary is proceeding to report the lobby reform bill in time to meet the deadline set by the Majority Leader.

Mr. Speaker, I see other distinguished colleagues here. For example, the gentleman from California [Mr. FAZIO]. He was before us in the Committee on Rules. He pointed out that this product before us is the work of much bipartisan effort. The President, at the time he vetoed it, as I stated before, stated he vetoed it not for substantive reasons but for reasons of timing. And after that our friends on the other side of the aisle have reiterated that this precisely is a bipartisan product that has achieved consensus.

Mr. Speaker, I think it is important to point out that the amendment that my friend, the gentleman from Texas [Mr. FROST] wishes to offer to this rule is nongermane to the rule and would be

held out of order even if the previous question is defeated. So this, Mr. Speaker, is, in fact, a nongermane exercise that we are facing now on a nongermane amendment to the rule to make in order a nongermane amendment to the bill.

It may be difficult for some of our friends on the other side of the aisle to realize that we are facing before us the rule on legislative appropriations, but that is what we are facing at this time and that is what the House should pass this morning, the rule and, subsequently, the bill on legislative branch appropriations.

Mr. DOGGETT. Mr. Speaker, will the gentleman yield?

Mr. DIAZ-BALART. I yield to the gentleman from Texas.

Mr. DOGGETT. Of course, Mr. Speaker, the only reason it is nongermane is because the Committee on Rules refuses to make it germane.

As far as lobby reform is concerned, I am sure Members have seen today's history of bills and resolutions and realized an indication of Speaker GINGRICH's commitment to reform is the fact that the lobby reform bill came onto his desk on July the 26 and sat there for three months, over three months, until yesterday afternoon before he even bothered to refer it to committee. That is hardly an indication of any commitment to clean this place up, is it?

Mr. DIAZ-BALART. Mr. Speaker, reclaiming my time, what I am trying to do, and obviously I am trying to remain as civil as I think the House deserves at this point on this issue and also as much as I can on the subject that we are debating, the fact is that we have a rule with a framework, providing a framework for debate for a conference committee report on the funding of the legislative branch. I am not getting into issues with regard to the fact that friends on the other side of the aisle had 40 years here to make these changes, and I am not going to get into that.

Mr. DOGGETT. Because Mr. Speaker, the gentleman knows that last year twice the House approved the gift ban.

Mr. DIAZ-BALART. Mr. Speaker, I have not yielded the gentleman time.

The SPEAKER pro tempore. The time is controlled by the gentleman from Florida.

Mr. DIAZ-BALART. So, Mr. Speaker, instead of getting on, continuing on nonrelevant issues, I am trying to focus the attention of the House on what is before us, which is the rule setting the guideline for debate for a conference committee report to fund the legislative branch.

That is what is before us, Mr. Speaker; and I would hope that after having seen the commitment of the leadership of this House to bring forth before us this issue that has been brought out this morning, before November 19 to the floor, that there is a limit to which this exercise that our friends on the

other side of the aisle are engaging in can remain useful even for them.

Mr. Speaker, I reserve the balance of my time.

Mr. FROST. Mr. Speaker, I yield myself such time as I may consume, and I would point out to my friend from Florida that we brought this very issue up the first day of the legislative session in January. We have brought it up repeatedly. Every time we have attempted to get a vote on this issue we have been prevented from having that vote by the Republican majority, and we will continue to bring this issue up at every opportunity until, finally, it gets to the floor.

The Republican majority has said, "Oh, trust us, it will come up no later than November 16." Well, lo and behold, we will come to November 16 and there may just be another reason why it cannot be voted on at that time.

Mr. Speaker, we will continue to raise this issue at every appropriate juncture.

Mr. Speaker, I yield 5 minutes to the gentleman from California [Mr. FAZIO], the ranking Democratic Member on the Committee on House Oversight.

Mr. FAZIO of California. Mr. Speaker, I thank my friend from Texas for yielding.

Mr. Speaker, I will comment on the substance of the legislative branch bill later on, but I do want to support his effort on this rule to bring lobby and gift reform before this Congress today. I think it is worthwhile, particularly in light of the comments of the gentleman from Florida to review what, in fact, has transpired in this Congress.

In 1989, we passed one of the most fundamental reforms of our ethics laws in the modern history of the Congress. President Bush signed it with great fanfare. But in the last Congress we have attempted to conform some of the more stringent provisions that we put in place for executive branch personnel with the Congress of the United States.

The lobby reform bill we considered in the last Congress was passed through the Senate by a 95 to 2 vote. We then took it up on the floor of this House on suspension and passed it 315 to 110 in the last Congress. Then, despite some smoke screen opposition which we have even attempted to deal with this year in this bill, we were able to pass it once again as a conference report, 306 to 112.

We went to the Senate and, lo and behold, the Senate filibustered. The Republican Members of that body, not wanting to grant the Democrats a political victory on the eve of an election, prevented this legislation from going forward to the White House for a certain signature.

So here we are in this Congress, Mr. Speaker, with those same Republicans now in charge for 10 full months and how have we advanced lobby and gift reform? Certainly not in a bipartisan way in this body. The other body passed it, sent it over here unanimously.

As has already been indicated by my friend from Texas [Mr. DOGGETT] the

Speaker did not refer it to committee. He held it from July to the present time at the desk. No discharge petition could even be filed because the bill was not before the committee on the Judiciary.

The gentleman from Florida [Mr. CANADY] in his subcommittee had a hearing on lobby reform, but, obviously, no markup was scheduled. No bill was really before them.

Leadership, as exemplified by the gentleman from Texas [Mr. ARMEY] last Friday, has only materialized since this Democratic caucus went on the offensive, adopting a resolution strongly supporting gift and lobby reform, and relentlessly bringing this issue to the floor.

Today, Mr. Speaker, we act in a bipartisan manner by in effect discharging, if possible, the Waldholtz and McHale bills. This is not an effort to push a partisan agenda. We are bringing the bipartisan freshman and sophomore classes together and letting their legislation come before us, if this rule could be amended to bring that about.

So just when lobby and gift reform was likely to pass last week, this bill was pulled from the floor. The legislative branch bill, which was scheduled, was removed from the agenda.

The comments of the gentleman from Texas [Mr. ARMEY] which were designed to really calm us down and indicate to us that we would be dealing with this issue in the future, in my mind create more questions and doubts than they resolve.

First of all, instead of going to the ethics committee, the Committee on Standards of Official Conduct, a bipartisan committee where we could have dealt with this issue of gift rules where we historically have judged gift rules, we are going to the partisan Committee on Rules.

Instead of simply passing the Senate version of the gift rule ban, we are now holding up the specter of the golf trips and the various methods by which people get to engage in travel for fun, when, in fact, the charity is only marginally involved in the process.

We also have heard the gentleman from Texas [Mr. ARMEY] refer to a task force, not a committee that will meet in public and debate these issues, but a task force, which the gentleman from Michigan [Mr. HOEKSTRA] will chair which will have jurisdiction. Mr. HOEKSTRA having just been removed from the Committee on the Budget to accommodate another problem on the minority side will apparently guide us. That task force, not in the daylight of public scrutiny apparently, will then take up the question of lobby and gift reform.

Well, it seems to me we have already understood that it is time to move forward on lobby reform. Now we hear that perhaps the gentleman from Texas [Mr. ARMEY] wants to inject the poison pill of the Istook amendment into the lobby reform bill, a proposal which Senator HATFIELD and Members of the Senate Republican majority find unac-

ceptable, certainly on all the appropriations bills that have been considered in the other body.

So that very contentious and difficult issue that bans nonprofit agencies from lobbying is going to be injected into the debate on the question of whether we should pass a simple statute to bring thousands of lobbyists, who don't report on their involvement in the legislative process under current law, into the light of day, requiring them to indicate to the public just who they are representing, how much money they are spending, et cetera.

The Arme approach to lobby and gift reform, it seems to me, is likely to be a disaster. It is likely to slow down this process and make all of the efforts we have been making on this side of the aisle a real waste of all our time. We ought not separate these bills and we ought not amend them. Pass the Senate bills.

I hope the leadership, including the gentleman from Texas [Mr. ARMEY], will relent and allow us to move forward on the Waldholtz and McHale legislation today. I fear we will regret it when we fail to join the Senate in passing gift and lobby reform by the end of this year.

Mr. DIAZ-BALART. Mr. Speaker, I know it is hard to get to the debate on the relevant issue, but I yield at this time such time as he may consume to the gentleman from New York [Mr. SOLOMON], the chairman of the Committee on Rules.

□ 1100

Mr. SOLOMON. Mr. Speaker, I thank my good friend and valued Rules Committee colleague from Miami, FL, for yielding me this time.

Mr. Speaker, I could not in good conscience remain silent on why we are here today on a bill that is identical to one that was overwhelmingly adopted by both Houses and which the President himself has indicated is a good and disciplined bill that he would sign under different circumstances.

We are here because the President nevertheless vetoed the bill that is \$206 million or 8.6 percent below last year's spending level.

What were the so-called circumstances that prompted this veto at the same time he signed the military construction appropriations bill? Well, he just didn't think it was right for us to pass our own appropriations bill before all the others were finished.

Mr. Speaker, that argument might hold some water if other Presidents had taken the same position in the past, or, if the Congress had traditionally waited until last to pass the legislative branch appropriations bill. But that is just not the case.

We have traditionally acted early on the legislative branch bills under Democratic controlled Congresses. And Republican Presidents have traditionally signed them.

It is one thing for a nonincumbent presidential candidate to run against Congress. But it is quite another for a sitting President to use the veto pen for political, rather than fiscal, purposes. To me this is a gross breach of comity between the two branches, with no apparent rationale whatsoever beyond rhetorical politics.

It would be one thing if the President had vetoed this bill because it spent more than last year on Congress, or did not cut our spending as much as we have for the other departments of Government. But even if that were the case, which it is not, those criteria were not used by previous Republican presidents when Democrats ran Congress.

So it is truly regrettable that we must pass this same bill again and hope that this time the so-called circumstances are right—that all the planets are now in proper alignment with each other.

Mr. Speaker, I just want to commend again the chairman and ranking minority member of the Legislative Branch Subcommittee, Mr. PACKARD and Mr. FAZIO, for all the work they have done on this legislation. They have helped this House keep its word to the American people that we would lead the way by making an example of ourselves in reducing spending and staff before asking others to do so. We have kept that commitment. Fiscal restraint and discipline should not be made a punishable act by the President.

With respect to this rule, I regret that a nongermane amendment is being interjected into the previous question vote on a bill that has such overwhelming support. The gentleman from Texas has described the germaneness problem with his amendment on lobbying and gift reform as merely technical. That is a gross understatement, to put it as kindly as I can.

The amendment he wishes to offer if the previous question is defeated has nothing to do with legislative branch appropriations, nor is it even remotely close to any jurisdiction that the Appropriations Committee enjoys.

The amendment falls directly under the jurisdiction of two completely different committees—Judiciary and Standards of Official Conduct.

So, once again we are being asked to go through a futile exercise and a meaningless vote since the amendment to the rule itself would be nongermane to the rule, and the parliamentarians have confirmed that it would be ruled out of order on a point of order.

So why is the minority intent on taking us down this blind alley? Presumably it is being done to send a message. But, the majority leader announced just last Friday that we will vote on the gift rule on or before November 16. And we are proceeding in the Rules Committee which I chair to hold hearings and then report the gift rule.

There is no longer a need to send a message. We had long ago committed

to acting on this. It was only a question of when. And now we know.

Mr. Speaker, the previous question vote is not only a futile exercise and futile vote on a blatantly nongermane amendment to this rule; it is an attempt to politicize and polarize on an issue that is broadly bipartisan. Don't be hoodwinked, by these political shenanigans, into thinking that it is anything else.

Vote "yes" on the previous question, vote "yes" on this rule, and vote "yes" on this bill that keeps our commitment to downsizing the Congress.

Mr. FROST. Mr. Speaker, I yield 3 minutes to the gentleman from Pennsylvania [Mr. MCHALE].

Mr. MCHALE. Mr. Speaker, I listened very carefully to the remarks of my good friend, the gentleman from New York [Mr. SOLOMON], a moment ago. He correctly pointed out that a third of the employees of the House had been let go as a cost savings measure.

I would point out to the gentleman I put a bill in that would reduce the size of the House of Representatives by one-third, and perhaps he would like to join me in that legislation.

Mr. Speaker, in my view the reform of the House of Representatives ought not to be a partisan issue. On the very first day of this session I was pleased to stand at this microphone and join with my colleague the gentleman from Connecticut [Mr. SHAYS], as we fought in a bipartisan manner for the passage and ultimately the enactment of the Congressional Accountability Act, repealing the exemptions that Members of Congress had given themselves going back almost six decades of American history.

Similarly I was pleased to support the honorable and I think farsighted effort of my colleague, the gentlewoman from Utah [Mrs. WALDHOLTZ], in her effort to bring to the floor a bill that would for the first time really enact meaningful gift ban legislation.

But today, Mr. Speaker, I am extremely pleased to stand with my colleagues, the gentleman from Texas [Mr. BRYANT] and the gentleman from California [Mr. FAZIO] as we attempt to move forward the issue of lobbying disclosure reform.

If we defeat the previous question, we will have the opportunity to attach to this bill language previously passed in the United States Senate on the vitally important issue of lobbying disclosure.

Let me take a moment, Mr. Speaker, if I may, to point out exactly what it is we are trying to pass today. H.R. 2268, which would be attached to this bill, clearly defines a lobbyist as anyone who spends at least 20 percent of his time lobbying Members of Congress, congressional staffs, Presidential and other political appointees in the executive branch on any topic or any executive branch official on congressional issues. Registration requirements would apply to those lobbyists who receive at least \$5,000 from any client in a 6-month period and those companies that

use in-house lobbyists and spend at least \$20,000 in a 6-month period of time on lobbying activities. Lobbyists will register semiannually with the Clerk of the House, the Secretary of the Senate, and violations of the law will be referred to the U.S. attorney who can seek fines up to \$50,000.

Let us be clear, Mr. Speaker. The vote that we will take in the next few minutes is a litmus test for reformers. Those who are satisfied with the current deficient law will vote for the previous question. Those of us who believe in a bipartisan manner that you can vote twice for a good piece of legislation, you can today defeat the previous question and on or after November 16 support any additional legislation that might be brought to the floor, will vote "no."

Today we have an opportunity to make a difference. Just as the gentleman from Connecticut [Mr. SHAYS] made a difference in January, just as the gentlewoman from Utah [Mrs. WALDHOLTZ] is attempting to move forward the issue of gift ban legislation, today, Mr. Speaker, we can vote "no" on the previous question and guarantee that those paid professional lobbyists, who on a daily basis attempt to influence the content of legislation, will continue to pursue their advocacy but will reveal that advocacy and its cost to the American people.

I urge a "no" vote on the previous question.

Mr. DIAZ-BALART. Mr. Speaker, I yield 4 minutes to the gentleman from Florida [Mr. GOSS], my distinguished colleague on the Committee on Rules.

(Mr. GOSS asked and was given permission to revise and extend his remarks.)

Mr. GOSS. Mr. Speaker, I thank my friend from Florida, Mr. DIAZ-BALART, for yielding me this time and I commend him for his persistence in bringing this good, fiscally responsible bill to the floor for a second time. We are here today, doing *deja-vu* all over again, because the President apparently chose to use this bill as a soapbox upon which to seek political points rather than exercising sound leadership on matters of fiscal responsibility.

The President vetoed this bill not because he opposed it—he did not. In fact, the President said he would sign the exact same bill—some other time. And so, we will send him the exact same bill, with a new number on it and on a different day, with the hope that the political winds blow in the right direction this time around.

Mr. Speaker, many of our friends on the other side of the aisle have assured us that they do not agree with the President's decision to veto the legislative branch funding bill. Nonetheless, judging by our Rules Committee meeting and floor tactics since then, some of our Democrat colleagues have appeared somewhat gleeful at the opportunity to re-run the debate on lobby and gift reform. Those matters are very important—and in fact, will be on

this floor for debate and vote on or before November 16, that is, in a few short weeks. This was the commitment given on Friday by our majority leader, and I have every confidence that commitment will be met.

Mr. ARMEY has tasked our Rules Committee with reviewing the gift rules adopted in the other body, with an eye to strengthening and improving them. And our Rules Committee has plans to move forward this week and next in completing that assignment.

As a member of both committees with jurisdiction over gift reform—that is, the Ethics Committee and the Rules Committee—I am keenly interested in tightening up our rules to improve our credibility with the American people and to better ensure transparency and fair play inside the beltway.

In my office, we accept no gifts and no travel, regardless of who pays for it, not because we can be bought, but because the gray areas involving gifts do cause concern among the people I represent. In fact, I believe that most Members are seeking greater clarity and guidance than currently exist in our rules on this subject.

Mr. Speaker, given the commitment we have received from our leadership, this attempt to attach a non-germane item to the legislative branch funding bill—which has no bearing on House rules—appears a bit mischievous, designed perhaps to score a few political points. I hope Members recognize the tremendous changes that are being implemented by this new majority—and gift reform will be among them by the time the record books of the 1st session of the 104th Congress are written.

Mr. FAZIO of California. Mr. Speaker, will the gentleman yield?

Mr. GOSS. I yield to the distinguished gentleman from California.

Mr. FAZIO of California. Mr. Speaker, I take the gentleman at his word. I am sure he has his own standards in his office as I do. I think we both could agree, though, that the fastest way and the fairest way to accomplish our mutual goals of upgrading the standards we all have to live by would be to take the two pieces of legislation that passed through the Senate and send them on to the President without getting into the complexity of amendments, which I understand the gentleman from Texas [Mr. ARMEY] referred to in his comments the other day which have the effect of only impeding our progress and perhaps weakening the bill.

Mr. GOSS. Reclaiming the time, I would simply say to the distinguished gentleman that we are reviewing that very possibility among other possibilities. We want to get a better outcome than the Senate has had. I like what the Senate has done. I do not think it is enough. I happen to have more stringent rules in my own office. I think many of us do. In the meantime, any Member who is concerned on this subject, of course, has the opportunity to self-exercise his or her own rules as

long as they are more stringent than the rules of the House.

Mr. FROST. Mr. Speaker, I yield such time as he may consume to the gentleman from Massachusetts [Mr. OLVER].

(Mr. OLVER asked and was given permission to revise and extend his remarks.)

Mr. OLVER. Mr. Speaker, pass the gift ban and lobbying reform.

In a spectacular display of re-writing history, Speaker GINGRICH claimed that “when the Democrats controlled Congress, every effort at political reform failed.”

But last Congress, the Democratic House passed lobbying and gift ban reform. The bill was killed by two Republican filibusters in the Senate.

And, according to Congressional Quarterly, it was NEWT GINGRICH himself who blocked these reforms in the House.

Now that they are in the majority, it seems they like their perks, loopholes, and cushy lobbyist ties too much to give them up.

Back in January, Speaker GINGRICH called Democratic attempts to ban gifts pathetically partisan. Ten months later he is still stonewalling. Even the Senate has unanimously passed both lobby disclosure and the gift ban—4 months ago!

No more excuses. No more delays. Defeat this rule. Pass lobbying disclosure and a gift ban now.

Mr. FROST. Mr. Speaker, I yield 2 minutes to the gentleman from Connecticut [Ms. DELAURO].

Ms. DELAURO. Mr. Speaker, I rise in opposition to this rule. Congress must begin to restore the credibility to this institution by passing strong measures to ban gifts to Members of Congress and staff and to prevent undue influence by special interest lobbyists.

Four times this session Democrats have tried to pass gift ban and lobby reform legislation. We have tried to force vote after vote to do what is right. It seems that we are dragging our Republican colleagues kicking and screaming toward these reforms that are needed to restore the integrity of this Congress.

In fact, Republicans pulled a bill from the floor last week that would have banned gifts and would have forced lobbyists to disclose their sources of income. What are my colleagues on the other side of the aisle afraid of?

The Republicans said that they would schedule a vote sometime in the future on these important issues. But why wait? Let us start today. Let us pass the gift ban and lobby reform bills that have been passed by the Senate, get them to the President for his signature, and send a message to the American people that we listened to their call for honest and open Government.

The Republican leadership is stalling and plans to water down the legislation. We have already heard talk of continuing the all-expense-paid Government vacation for Members of Congress. A bill that protects these perks, the golf players' perks, is a hole-in-one for the lobbyists and a double bogey for the American public.

Let us pass a tough gift-ban bill and lobby-reform bill, and let us do it today. Let us not wait for some God-forsaken day or some middle-of-the-night event where nothing will happen. Let us get rid of the golf perks in this body.

Mr. DIAZ-BALART. Mr. Speaker, as a Member of Congress who has never played golf and really has no intention of ever doing so, I yield 7½ minutes to the gentlewoman from Utah [Mrs. WALDHOLTZ], a distinguished member of this House who has worked tirelessly since arriving here for genuine reform, and not political posturing.

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Mrs. WALDHOLTZ. Mr. Speaker, I was sitting in the Committee on Rules trying to do my duty, attending my committee meeting, when my ears started burning. I understand my name was made reference to a number of times during the debate, at least the bill I have sponsored.

Mr. Speaker, I think it is very important that we talk candidly about the political theater that is going on the floor this morning. For 40 years the other party has been in charge of this House. For 40 years they had the ability to set the standards of conduct in this Congress. For 40 years they resisted efforts to make substantive change that this Congress made on the first day that we were sworn in.

Mr. Speaker, the first day this Congress was sworn in we did away with proxy voting so that we all actually have to go and in person cast our votes in committee instead of handing them by proxy to someone else who can vote for us while we ignore our committee responsibilities. The first day this Congress was sworn in, Mr. Speaker, we cut committee staffs by a third. We limited the terms of committee chairmen so the fiefdoms that had grown up in this Congress, giving extraordinary power to a select few, all of the opposition party, was broken up, again, Mr. Speaker, for the first time certainly since the other side had controlled this Congress for 40 years. For the first time, Mr. Speaker, the first day this Congress was sworn in we passed an act that will make this Congress have to live by the same employment laws that it passes for the rest of the country, the Shays Act, the Congressional Accountability Act.

Mr. Speaker, those are extraordinary reforms that the other side could have done when they were in control and chose not to. Mr. Speaker, we are not done with the reform process. We had a few intervening items of business to take care of, like balancing the budget of the United States in 7 years, like reforming the Medicare System so it would actually be here in 7 years instead of allowing it to go into bankruptcy which would have happened undoubtedly. Mr. Speaker, without the action of this House over the last several months. And, Mr. Speaker, we had to take care of those items.

I would have preferred that we would have dealt with gift ban and lobbying reform earlier, but we had important work to do. We did it. And the very next day after passing the 7-year plan to balance the budget of this Nation, the leadership of the Republican Party stepped forward to announce a date certain, not some date off in the future, a date certain we will vote on gift ban and lobbying reform, on or before November 16. Why are we waiting until then, Mr. Speaker? To allow the Members of this body to make whatever suggestions they think are necessary to improve upon the work of the Senate.

There have been statements made that it is a mistake to change what the Senate did, because it will have to go back to the Senate for revoting. That is true on lobbying reform. I do not think that is the case or that is a case to be made for not improving a bill if we think it can be improved, and if we can improve the lobbying bill, we should do so and send it back to the Senate and invite our colleagues in the other body to join with us in improving that legislation.

But, and this is critical, Mr. Speaker, the gift-ban legislation that I have proposed is a change to the rules of the House of Representatives. It does not require the assent of the Senate. It does not require the approval of the President. Whatever we decide as a body to do with respect to improving and tightening the rules with respect to gift-ban legislation we can pass in this House and make effective without any action by anybody else.

So, Mr. Speaker, I think it is important that we allow the Members of this body the opportunity to step forward with ideas that they have to improve this legislation, because as I said last week, Mr. Speaker, I am not so vain as to believe that any bill is perfect simply because it has my name as the sponsor on it, and I am eager to listen to the ideas of my colleagues and how they think this bill can be improved. Let me just make reference, Mr. Speaker, to what happened most recently the last time this House took up gift-ban legislation. Mr. Speaker, the bipartisan task force on reform in 1989, gave us the current gift ban or gift rule that is in effect. At that time they raised gifts, the level for exempt gifts, from \$35 to \$75, plus they added a measure to account for inflation. That is what the opposition gave us when they took up this legislation when they were in control of this body.

Now why did they kick it up so high? Well, at the time the floor debate was that it was because of inflation. We were told at that time on the floor the debate was centered on the fact it was to account for inflation. I understand the word, Member-to-Member, was passed at the time it was because of greens fees. Mr. Speaker, I do not golf. I do not like golf. But if I decided to take up the hobby, I certainly intend to pay for it myself.

This gift-ban legislation is good, strong legislation. This body deserves the opportunity to have hearings on it, to bring it to the floor for discussion, and then to have a vote.

I am proud to support my leadership who have made the commitment to voting on these very critical issues on or before November 16. That is how the legislative process should work, Mr. Speaker. What we are seeing today is political theater, and the American people should not be fooled.

Mr. BRYANT of Texas. Mr. Speaker, will the gentlewoman yield?

Mrs. WALDHOLTZ. I yield to the gentleman from Texas.

Mr. BRYANT of Texas. I would just like to ask the gentlewoman if she is aware the coalition you are a member of, testified before the Constitutional Law Subcommittee 2 months ago, we ought not to deal with any amendments, we ought to take the Senate rules up, which is what I introduced and you introduced, immediately.

My question is, You now want to entertain the possibility people can come forward and weaken Senate rules so Members can play free golf, as the gentleman from Texas [Mr. ARMEY] suggested might be in order?

Mrs. WALDHOLTZ. I was at the press conference. I will simply say the gentleman from Texas [Mr. ARMEY] did not suggest free golf was in order. What I am saying, Mr. Speaker, is we should respect the opportunity that has been established through the committee structure of this House to allow Members the opportunity. This body deserves the opportunity to follow the committee structure for hearings and amendment and debate, and I believe these bills will be strengthened, if changed, not weakened.

Mr. FROST. Mr. Speaker, I yield myself 30 seconds. I would only point out to the gentlewoman that in 1989 the bipartisan committee that handled these matters was exactly evenly divided between Democrats and Republicans. The Vice Chair was the gentlelady from Illinois. Mrs. Martin. The reforms of 1989 were done on a bipartisan basis which she decries now.

The only other point I would make is we have a situation that this is manana, manana, always the next day, always the next week.

Mr. Speaker, I yield 1½ minutes to the gentlewoman from New York [Mrs. MALONEY].

Mrs. MALONEY. Mr. Speaker, I thank the gentleman for yielding me this time.

Mr. Speaker, before us today is not political theater, as the gentlewoman suggested, but a clear opportunity to vote for gift and lobbying disclosure reform that is exactly like the Senate so it will be passed and sign into law.

Let me first stress that this has been a bipartisan fight. There are many Republicans like the gentlewoman from Washington [Mrs. SMITH], the gentleman from Connecticut [Mr. SHAYS] who have courageously taken on their

own leadership to convince them to do the right thing, and the right thing is to take these relatively small steps forward to clean our own House.

It has been 142 days since the Speaker shook hands with the President in New Hampshire and pledged to act on lobbying reform and campaign finance reform. I cannot understand why the Republican leadership, which took only 100 days to pass the Contract With America, has waited 142 days and still has not fulfilled the commitment of the Speaker's handshake.

Mr. Speaker, today it is time to turn the promise of a handshake into the reality of law, and we certainly do not have to wait 16 days until the arbitrary November 16 date of the gentleman from Texas [Mr. ARMEY].

The proposal before us is not earth-shattering reform. The House has passed an even tougher reform bill twice in the last Congress, and the package is identical to the legislation overwhelmingly passed by the Senate.

Is it too much to ask Members to pay for meals over \$50?

Mr. FROST. Mr. Speaker, I yield 1 minute to the gentleman from Wisconsin [Mr. OBEY].

Mr. OBEY. Mr. Speaker, I have been at the center of virtually every reform movement that has occurred in this House since the day I got here, limiting outside income, stopping the practicing of law on the side, financial disclosure requirements, you name it. I have done it all, because I believe deeply that this institution cannot afford to be in a situation in which it does not have the absolute faith and confidence of the American people. We simply cannot afford to have the public witness year after year after year television exposés of Members on lobbyists' paid golfing vacations and other trips like that. We have to put an end to that.

This is the right bill to use in order to do just that. I urge you to vote against the rule. I urge you to support the leadership of the gentleman from California and the gentleman from Texas [Mr. BRYANT] and finally end this insider schmoozing which is bringing so much discredit to this institution.

Mr. FROST. Mr. Speaker, I yield myself 30 seconds.

(Mr. FROST asked and was given permission to revise and extend his remarks and to include extraneous material.)

Mr. FROST. Mr. Speaker, if the previous question is defeated, we will offer an amendment to the rule that will add two new titles to the bill. The first will incorporate the text of H.R. 2268, the bill offered by the gentleman from Pennsylvania [Mr. MCHALE], and the second one incorporates the text of H.R. 214, the bill offered by the gentlewoman from Utah [Mrs. WALDHOLTZ], relating to gift reform.

I am including the amendment to the rule and the text of the lobbying reform and gift ban proposals at this point in the RECORD.

AMENDMENT TO H. RES. 239, AS REPORTED,
OFFERED BY MR. FROST OF TEXAS

At the end of the resolution, add the following:

Immediately upon the adoption of this resolution, there shall be considered as adopted in the House an amendment adding as new titles at the end of the bill (H.R. 2492) the texts of H. Res. 214 (relating to gift reform) and H.R. 2268 (relating to lobbying disclosure), as introduced in the House on September 6, 1995, but excluding sections 16 through 23 of H.R. 2268.

AMENDMENT TO H. RES. 239, AS REPORTED,
OFFERED BY MR. FAZIO OF CALIFORNIA

TITLE IV—GIFT REFORM

AMENDMENT TO HOUSE RULES

SEC. 401. Clause 4 of rule XLIII of the Rules of the House of Representatives is amended to read as follows:

"4. (a)(1) No Member, officer, or employee of the House of Representatives shall knowingly accept a gift except as provided in this rule.

"(2) A Member, officer, or employee may accept a gift (other than cash or cash equivalent) which the Member, officer, or employee reasonably and in good faith believes to have a value of less than \$50, and a cumulative value from one source during a calendar year of less than \$100. No gift with a value below \$10 shall count toward the \$100 annual limit. No formal recordkeeping is required by this paragraph, but a Member, officer, or employee shall make a good faith effort to comply with this paragraph.

"(b)(1) For the purpose of this rule, the term 'gift' means any gratuity, favor, discount, entertainment, hospitality, loan, forbearance, or other item having monetary value. The term includes gifts of services, training, transportation, lodging, and meals, whether provided in kind, by purchase of a ticket, payment in advance, or reimbursement after the expense has been incurred.

"(2)(A) A gift to a family member of a Member, officer, or employee, or a gift to any other individual based on that individual's relationship with the Member, officer, or employee, shall be considered a gift to the Member, officer, or employee if it is given with the knowledge and acquiescence of the Member, officer, or employee and the Member, officer, or employee has reason to believe the gift was given because of the official position of the Member, officer, or employee.

"(B) If food or refreshment is provided at the same time and place to both a Member, officer, or employee and the spouse or dependent thereof, only the food or refreshment provided to the Member, officer, or employee shall be treated as a gift for purposes of this rule.

"(c) The restrictions in subparagraph (a) shall not apply to the following:

"(1) Anything for which the Member, officer, or employee pays the market value, or does not use and promptly returns to the donor.

"(2) A contribution, as defined in the Federal Election Campaign Act of 1971 (2 U.S.C. 431 et seq.) that is lawfully made under that Act, or attendance at a fundraising event sponsored by a political organization described in section 527(e) of the Internal Revenue Code of 1986.

"(3) A gift from a relative as described in section 107(2) of title I of the Ethics in Government Act of 1978 (Public Law 95-521).

"(4)(A) Anything provided by an individual on the basis of a personal friendship unless the Member, officer, or employee has reason to believe that, under the circumstances, the gift was provided because of the official position of the Member, officer, or employee and not because of the personal friendship.

"(B) In determining whether a gift is provided on the basis of personal friendship, the Member, officer, or employee shall consider the circumstances under which the gift was offered, such as:

"(i) The history of the relationship between the individual giving the gift and the recipient of the gift, including any previous exchange of gifts between such individuals.

"(ii) Whether to the actual knowledge of the Member, officer, or employee the individual who gave the gift personally paid for the gift or sought a tax deduction or business reimbursement for the gift.

"(iii) Whether to the actual knowledge of the Member, officer, or employee the individual who gave the gift also at the same time gave the same or similar gifts to other Members, officers, or employees.

"(5) A contribution or other payment to a legal expense fund established for the benefit of a Member, officer, or employee, that is otherwise lawfully made, subject to the disclosure requirements of the Committee on Standards of Official Conduct, except as provided in paragraph 3(c).

"(6) Any gift from another Member, officer, or employee of the Senate or the House of Representatives.

"(7) Food, refreshments, lodging, and other benefits—

"(A) resulting from the outside business or employment activities (or other outside activities that are not connected to the duties of the Member, officer, or employee as an officeholder) of the Member, officer, or employee, or the spouse of the Member, officer, or employee, if such benefits have not been offered or enhanced because of the official position of the Member, officer, or employee and are customarily provided to others in similar circumstances;

"(B) customarily provided by a prospective employer in connection with bona fide employment discussions; or

"(C) provided by a political organization described in section 527(e) of the Internal Revenue Code of 1986 in connection with a fundraising or campaign event sponsored by such an organization.

"(8) Pension and other benefits resulting from continued participation in an employee welfare and benefits plan maintained by a former employer.

"(9) Informational materials that are sent to the office of the Member, officer, or employee in the form of books, articles, periodicals, other written materials, audiotapes, videotapes, or other forms of communication.

"(10) Awards or prizes which are given to competitors in contests or events open to the public, including random drawings.

"(11) Honorary degrees (and associated travel, food, refreshments, and entertainment) and other bona fide, nonmonetary awards presented in recognition of public service (and associated food, refreshments, and entertainment provided in the presentation of such degrees and awards).

"(12) Donations of products from the State that the Member represents that are intended primarily for promotional purposes, such as display or free distribution, and are of minimal value to any individual recipient.

"(13) Training (including food and refreshments furnished to all attendees as an integral part of the training) provided to a Member, officer, or employee, if such training is in the interest of the House of Representatives.

"(14) Bequests, inheritances, and other transfers at death.

"(15) Any item, the receipt of which is authorized by the Foreign Gifts and Decorations Act, the Mutual Educational and Cultural Exchange Act, or any other statute.

"(16) Anything which is paid for by the Federal Government, by a State or local gov-

ernment, or secured by the Government under a Government contract.

"(17) A gift of personal hospitality (as defined in section 109(14) of the Ethics in Government Act) of an individual other than a registered lobbyist or agent of a foreign principal.

"(18) Free attendance at a widely attended event permitted pursuant to subparagraph (d).

"(19) Opportunities and benefits which are—

"(A) available to the public or to a class consisting of all Federal employees, whether or not restricted on the basis of geographic consideration;

"(B) offered to members of a group or class in which membership is unrelated to congressional employment;

"(C) offered to members of an organization, such as an employees' association or congressional credit union, in which membership is related to congressional employment and similar opportunities are available to large segments of the public through organizations of similar size;

"(D) offered to any group or class that is not defined in a manner that specifically discriminates among Government employees on the basis of branch of Government or type of responsibility, or on a basis that favors those of higher rank or rate of pay;

"(E) in the form of loans from banks and other financial institutions on terms generally available to the public; or

"(F) in the form of reduced membership or other fees for participation in organization activities offered to all Government employees by professional organizations if the only restrictions on membership relate to professional qualifications.

"(20) A plaque, trophy, or other item that is substantially commemorative in nature and which is intended solely for presentation.

"(21) Anything for which, in an unusual case, a waiver is granted by the Committee on Standards of Official Conduct.

"(22) Food or refreshments of a nominal value offered other than as a part of a meal.

"(23) An item of little intrinsic value such as a greeting card, baseball cap, or a T-shirt.

"(d)(1) A Member, officer, or employee may accept an offer of free attendance at a widely attended convention, conference, symposium, forum, panel discussion, dinner, viewing, reception, or similar event, provided by the sponsor of the event, if—

"(A) the Member, officer, or employee participates in the event as a speaker or a panel participant, by presenting information related to Congress or matters before Congress, or by performing a ceremonial function appropriate to the Member's, officer's, or employee's official position; or

"(B) attendance at the event is appropriate to the performance of the official duties or representative function of the Member, officer, or employee.

"(2) A Member, officer, or employee who attends an event described in clause (1) may accept a sponsor's unsolicited offer of free attendance at the event for an accompanying individual if others in attendance will generally be similarly accompanied or if such attendance is appropriate to assist in the representation of the House of Representatives.

"(3) A Member, officer, or employee, or the spouse or dependent thereof, may accept a sponsor's unsolicited offer of free attendance at a charity event, except that reimbursement for transportation and lodging may not be accepted in connection with an event that does not meet the standards provided in paragraph 2.

“(4) For purposes of this paragraph, the term ‘free attendance’ may include waiver of all or part of a conference or other fee, the provision of local transportation, or the provision of food, refreshments, entertainment, and instructional materials furnished to all attendees as an integral part of the event. The term does not include entertainment collateral to the event, nor does it include food or refreshments taken other than in a group setting with all or substantially all other attendees.

“(e) No Member, officer, or employee may accept a gift the value of which exceeds \$250 on the basis of the personal friendship exception in subparagraph (c)(4) unless the Committee on Standards of Official Conduct issues a written determination that such exception applies. No determination under this subparagraph is required for gifts given on the basis of the family relationship exception.

“(f) When it is not practicable to return a tangible item because it is perishable, the item may, at the discretion of the recipient, be given to an appropriate charity or destroyed.

“(g)(1) A reimbursement (including payment in kind) to a Member, officer, or employee from an individual other than a registered lobbyist or agent of a foreign principal for necessary transportation, lodging and related expenses for travel to a meeting, speaking engagement, factfinding trip or similar event in connection with the duties of the Member, officer, or employee as an officeholder shall be deemed to be a reimbursement to the House of Representatives and not a gift prohibited by this rule, if the Member, officer, or employee—

“(A) in the case of an employee, receives advance authorization, from the Member or officer under whose direct supervision the employee works, to accept reimbursement, and

“(B) discloses the expenses reimbursed or to be reimbursed and the authorization to the Clerk of the House of Representatives within 30 days after the travel is completed.

“(2) For purposes of clause (1), events, the activities of which are substantially recreational in nature, shall not be considered to be in connection with the duties of a Member, officer, or employee as an officeholder.

“(h) Each advance authorization to accept reimbursement shall be signed by the Member or officer under whose direct supervision the employee works and shall include—

“(1) the name of the employee;

“(2) the name of the person who will make the reimbursement;

“(3) the time, place, and purpose of the travel; and

“(4) a determination that the travel is in connection with the duties of the employee as an officeholder and would not create the appearance that the employee is using public office for private gain.

“(i) Each disclosure made under subparagraph (g)(1) of expenses reimbursed or to be reimbursed shall be signed by the Member or officer (in the case of travel by that Member or officer) or by the Member or officer under whose direct supervision the employee works (in the case of travel by an employee) and shall include—

“(1) a good faith estimate of total transportation expenses reimbursed or to be reimbursed;

“(2) a good faith estimate of total lodging expenses reimbursed or to be reimbursed;

“(3) a good faith estimate of total meal expenses reimbursed or to be reimbursed;

“(4) a good faith estimate of the total of other expenses reimbursed or to be reimbursed;

“(5) a determination that all such expenses are necessary transportation, lodging, and

related expenses as defined in this paragraph; and

“(6) in the case of a reimbursement to a Member or officer, a determination that the travel was in connection with the duties of the Member or officer as an officeholder and would not create the appearance that the Member or officer is using public office for private gain.

“(j) For the purposes of this paragraph, the term ‘necessary transportation, lodging, and related expenses’—

“(1) includes reasonable expenses that are necessary for travel for a period not exceeding 3 days exclusive of travel time within the United States or 7 days exclusive of travel time outside of the United States unless approved in advance by the Committee on Standards of Official Conduct;

“(2) is limited to reasonable expenditures for transportation, lodging, conference fees and materials, and food and refreshments, including reimbursement for necessary transportation, whether or not such transportation occurs within the periods described in clause (1);

“(3) does not include expenditures for recreational activities, nor does it include entertainment other than that provided to all attendees as an integral part of the event, except for activities or entertainment otherwise permissible under this rule; and

“(4) may include travel expenses incurred on behalf of either the spouse or a child of the Member, officer, or employee, subject to a determination signed by the Member or officer (or in the case of an employee, the Member or officer under whose direct supervision the employee works) that the attendance of the spouse or child is appropriate to assist in the representation of the House of Representatives.

“(k) The Clerk of the House of Representatives shall make available to the public all advance authorizations and disclosures of reimbursement filed pursuant to subparagraph (a) as soon as possible after they are received.

“(l) A gift prohibited by subparagraph (a) includes the following:

“(1) Anything provided by a registered lobbyist or an agent of a foreign principal to an entity that is maintained or controlled by a Member, officer, or employee.

“(2) A charitable contribution (as defined in section 170(c) of the Internal Revenue Code of 1986) made by a registered lobbyist or an agent of a foreign principal on the basis of a designation, recommendation, or other specification of a Member, officer, or employee (not including a mass mailing or other solicitation directed to a broad category of persons or entities), other than a charitable contribution permitted by subparagraph (p).

“(3) A contribution or other payment by a registered lobbyist or an agent of a foreign principal to a legal expense fund established for the benefit of a Member, officer, or employee.

“(4) A financial contribution or expenditure made by a registered lobbyist or an agent of a foreign principal relating to a conference, retreat, or similar event, sponsored by or affiliated with an official congressional organization, for or on behalf of Members, officers, or employees.

“(m) A charitable contribution (as defined in section 170(c) of the Internal Revenue Code of 1986) made by a registered lobbyist or an agent of a foreign principal in lieu of an honorarium to a Member, officer, or employee shall not be considered a gift under this rule if it is reported as provided in subparagraph (b).

“(n) A Member, officer, or employee who designates or recommends a contribution to a charitable organization in lieu of honoraria

described in subparagraph (a) shall report within 30 days after such designation or recommendation to the Clerk of the House of Representatives—

“(1) the name and address of the registered lobbyist who is making the contribution in lieu of honoraria;

“(2) the date and amount of the contribution; and

“(3) the name and address of the charitable organization designated or recommended by the Member.

The Clerk of the House of Representatives shall make public information received pursuant to this subparagraph as soon as possible after it is received.

“(o) For purposes of this rule—

“(1) the term ‘registered lobbyist’ means a lobbyist registered under the Federal Regulation of Lobbying Act or any successor statute; and

“(2) the term ‘agent of a foreign principal’ means an agent of a foreign principal registered under the Foreign Agents Registration Act.

“(p) All the provisions of this rule shall be interpreted and enforced solely by the Committee on Standards of Official Conduct. The Committee on Standards of Official Conduct is authorized to issue guidance on any matter contained in this rule.”.

EFFECTIVE DATE

SEC. 402. This title and the amendment made by this title shall take effect on and be effective for calendar years beginning on January 1, 1996.

TITLE V—LOBBYING DISCLOSURE

SHORT TITLE

SEC. 501. This title may be cited as the “Lobbying Disclosure Act of 1995”.

FINDINGS

SEC. 502. The Congress finds that—

(1) responsible representative Government requires public awareness of the efforts of paid lobbyists to influence the public decisionmaking process in both the legislative and executive branches of the Federal Government;

(2) existing lobbying disclosure statutes have been ineffective because of unclear statutory language, weak administrative and enforcement provisions, and an absence of clear guidance as to who is required to register and what they are required to disclose; and

(3) the effective public disclosure of the identity and extent of the efforts of paid lobbyists to influence Federal officials in the conduct of Government actions will increase public confidence in the integrity of Government.

DEFINITIONS

SEC. 503. As used in this title:

(1) AGENCY.—The term “agency” has the meaning given that term in section 551(1) of title 5, United States Code.

(2) CLIENT.—The term “client” means any person or entity that employs or retains another person for financial or other compensation to conduct lobbying activities on behalf of that person or entity. A person or entity whose employees act as lobbyists on its own behalf is both a client and an employer of such employees. In the case of a coalition or association that employs or retains other persons to conduct lobbying activities, the client is the coalition or association and not its individual members.

(3) COVERED EXECUTIVE BRANCH OFFICIAL.—The term “covered executive branch official” means—

(A) the President;

(B) the Vice President;

(C) any officer or employee, or any other individual functioning in the capacity of such an officer or employee, in the Executive Office of the President;

(D) any officer or employee serving in a position in level I, II, III, IV, or V of the Executive Schedule, as designated by statute or Executive order;

(E) any member of the uniformed services whose pay grade is at or above O-7 under section 201 of title 37, United States Code; and

(F) any officer or employee serving in a position of a confidential, policy-determining, policy-making, or policy-advocating character described in section 7511(b)(2) of title 5, United States Code.

(4) COVERED LEGISLATIVE BRANCH OFFICIAL.—The term “covered legislative branch official” means—

(A) a Member of Congress;

(B) an elected officer of either House of Congress;

(C) any employee of, or any other individual functioning in the capacity of an employee of—

(i) a Member of Congress;

(ii) a committee of either House of Congress;

(iii) the leadership staff of the House of Representatives or the leadership staff of the Senate;

(iv) a joint committee of Congress; and

(v) a working group or caucus organized to provide legislative services or other assistance to Members of Congress; and

(D) any other legislative branch employee serving in a position described under section 109(13) of the Ethics in Government Act of 1978 (5 U.S.C. App.).

(5) EMPLOYEE.—The term “employee” means any individual who is an officer, employee, partner, director, or proprietor of a person or entity, but does not include—

(A) independent contractors; or

(B) volunteers who receive no financial or other compensation from the person or entity for their services.

(6) FOREIGN ENTITY.—The term “foreign entity” means a foreign principal (as defined in section 1(b) of the Foreign Agents Registration Act of 1938 (22 U.S.C. 611(b))).

(7) LOBBYING ACTIVITIES.—The term “lobbying activities” means lobbying contacts and efforts in support of such contacts, including preparation and planning activities, research and other background work that is intended, at the time it is performed, for use in contacts, and coordination with the lobbying activities of others.

(8) LOBBYING CONTACT.—

(A) DEFINITION.—The term “lobbying contact” means any oral or written communication (including an electronic communication) to a covered executive branch official or a covered legislative branch official that is made on behalf of a client with regard to—

(i) the formulation, modification, or adoption of Federal legislation (including legislative proposals);

(ii) the formulation, modification, or adoption of a Federal rule, regulation, Executive order, or any other program, policy, or position of the United States Government;

(iii) the administration or execution of a Federal program or policy (including the negotiation, award, or administration of a Federal contract, grant, loan, permit, or license); or

(iv) the nomination or confirmation of a person for a position subject to confirmation by the Senate.

(B) EXCEPTIONS.—The term “lobbying contact” does not include a communication that is—

(i) made by a public official acting in the public official’s official capacity;

(ii) made by a representative of a media organization if the purpose of the communication is gathering and disseminating news and information to the public;

(iii) made in a speech, article, publication or other material that is distributed and made available to the public, or through radio, television, cable television, or other medium of mass communication;

(iv) made on behalf of a government of a foreign country or a foreign political party and disclosed under the Foreign Agents Registration Act of 1938 (22 U.S.C. 611 et seq.);

(v) a request for a meeting, a request for the status of an action, or any other similar administrative request, if the request does not include an attempt to influence a covered executive branch official or a covered legislative branch official;

(vi) made in the course of participation in an advisory committee subject to the Federal Advisory Committee Act;

(vii) testimony given before a committee, subcommittee, or task force of the Congress, or submitted for inclusion in the public record of a hearing conducted by such committee, subcommittee, or task force;

(viii) information provided in writing in response to an oral or written request by a covered executive branch official or a covered legislative branch official for specific information;

(ix) required by subpoena, civil investigative demand, or otherwise compelled by statute, regulation, or other action of the Congress or an agency;

(x) made in response to a notice in the Federal Register, Commerce Business Daily, or other similar publication soliciting communications from the public and directed to the agency official specifically designated in the notice to receive such communications;

(xi) not possible to report without disclosing information, the unauthorized disclosure of which is prohibited by law;

(xii) made to an official in an agency with regard to—

(I) a judicial proceeding or a criminal or civil law enforcement inquiry, investigation, or proceeding; or

(II) a filing or proceeding that the Government is specifically required by statute or regulation to maintain or conduct on a confidential basis,

if that agency is charged with responsibility for such proceeding, inquiry, investigation, or filing;

(xiii) made in compliance with written agency procedures regarding an adjudication conducted by the agency under section 554 of title 5, United States Code, or substantially similar provisions;

(xiv) a written comment filed in the course of a public proceeding or any other communication that is made on the record in a public proceeding;

(xv) a petition for agency action made in writing and required to be a matter of public record pursuant to established agency procedures;

(xvi) made on behalf of an individual with regard to that individual’s benefits, employment, or other personal matters involving only that individual, except that this clause does not apply to any communication with—

(I) a covered executive branch official, or

(II) a covered legislative branch official (other than the individual’s elected Members of Congress or employees who work under such Members’ direct supervision),

with respect to the formulation, modification, or adoption of private legislation for the relief of that individual;

(xvii) a disclosure by an individual that is protected under the amendments made by the Whistleblower Protection Act of 1989, under the Inspector General Act of 1978, or under another provision of law;

(xviii) made by—

(I) a church, its integrated auxiliary, or a convention or association of churches that is exempt from filing a Federal income tax return under paragraph 2(A)(i) of section 6033(a) of the Internal Revenue Code of 1986, or

(II) a religious order that is exempt from filing a Federal income tax return under paragraph 2(A)(iii) of such section 6033(a); and

(xix) between—

(I) officials of a self-regulatory organization (as defined in section 3(a)(26) of the Securities Exchange Act) that is registered with or established by the Securities and Exchange Commission as required by that Act or a similar organization that is designated by or registered with the Commodities Future Trading Commission as provided under the Commodity Exchange Act; and

(II) the Securities and Exchange Commission or the Commodities Future Trading Commission, respectively;

relating to the regulatory responsibilities of such organization under that Act.

(9) LOBBYING FIRM.—The term “lobbying firm” means a person or entity that has 1 or more employees who are lobbyists on behalf of a client other than that person or entity. The term also includes a self-employed individual who is a lobbyist.

(10) LOBBYIST.—The term “lobbyist” means any individual who is employed or retained by a client for financial or other compensation for services that include more than one lobbying contact, other than an individual whose lobbying activities constitute less than 20 percent of the time engaged in the services provided by such individual to that client over a six month period.

(11) MEDIA ORGANIZATION.—The term “media organization” means a person or entity engaged in disseminating information to the general public through a newspaper, magazine, other publication, radio, television, cable television, or other medium of mass communication.

(12) MEMBER OF CONGRESS.—The term “Member of Congress” means a Senator or a Representative in, or Delegate or Resident Commissioner to, the Congress.

(13) ORGANIZATION.—The term “organization” means a person or entity other than an individual.

(14) PERSON OR ENTITY.—The term “person or entity” means any individual, corporation, company, foundation, association, labor organization, firm, partnership, society, joint stock company, group of organizations, or State or local government.

(15) PUBLIC OFFICIAL.—The term “public official” means any elected official, appointed official, or employee of—

(A) a Federal, State, or local unit of government in the United States other than—

(i) a college or university;

(ii) a government-sponsored enterprise (as defined in section 3(8) of the Congressional Budget and Impoundment Control Act of 1974);

(iii) a public utility that provides gas, electricity, water, or communications;

(iv) a guaranty agency (as defined in section 435(j) of the Higher Education Act of 1965 (20 U.S.C. 1085(j))), including any affiliate of such an agency; or

(v) an agency of any State functioning as a student loan secondary market pursuant to section 435(d)(1)(F) of the Higher Education Act of 1965 (20 U.S.C. 1085(d)(1)(F));

(B) a Government corporation (as defined in section 9101 of title 31, United States Code);

(C) an organization of State or local elected or appointed officials other than officials

of an entity described in clause (i), (ii), (iii), (iv), or (v) of subparagraph (A);

(D) an Indian tribe (as defined in section 4(e) of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 450b(e));

(E) a national or State political party or any organizational unit thereof; or

(F) a national, regional, or local unit of any foreign government.

(16) STATE.—The term "State" means each of the several States, the District of Columbia, and any commonwealth, territory, or possession of the United States.

REGISTRATION OF LOBBYISTS

SEC. 504. (a) REGISTRATION.—

(1) GENERAL RULE.—No later than 45 days after a lobbyist first makes a lobbying contact or is employed or retained to make a lobbying contact, whichever is earlier, such lobbyist (or, as provided under paragraph (2), the organization employing such lobbyist), shall register with the Secretary of the Senate and the Clerk of the House of Representatives.

(2) EMPLOYER FILING.—Any organization that has 1 or more employees who are lobbyists shall file a single registration under this section on behalf of such employees for each client on whose behalf the employees act as lobbyists.

(3) EXEMPTION.—

(A) GENERAL RULE.—Notwithstanding paragraphs (1) and (2), a person or entity whose—

(i) total income for matters related to lobbying activities on behalf of a particular client (in the case of a lobbying firm) does not exceed and is not expected to exceed \$5,000; or

(ii) total expenses in connection with lobbying activities (in the case of an organization whose employees engage in lobbying activities on its own behalf) do not exceed or are not expected to exceed \$20,000,

(as estimated under section 505) in the semiannual period described in section 505(a) during which the registration would be made is not required to register under subsection (a) with respect to such client.

(B) ADJUSTMENT.—The dollar amounts in subparagraph (A) shall be adjusted—

(i) on January 1, 1997, to reflect changes in the Consumer Price Index (as determined by the Secretary of Labor) since the date of enactment of this Act; and

(ii) on January 1 of each fourth year occurring after January 1, 1997, to reflect changes in the Consumer Price Index (as determined by the Secretary of Labor) during the preceding 4-year period,

rounded to the nearest \$500.

(b) CONTENTS OF REGISTRATION.—Each registration under this section shall contain—

(1) the name, address, business telephone number, and principal place of business of the registrant, and a general description of its business or activities;

(2) the name, address, and principal place of business of the registrant's client, and a general description of its business or activities (if different from paragraph (1));

(3) the name, address, and principal place of business of any organization, other than the client, that—

(A) contributes more than \$10,000 toward the lobbying activities of the registrant in a semiannual period described in section 505(a); and

(B) in whole or in major part plans, supervises, or controls such lobbying activities.

(4) the name, address, principal place of business, amount of any contribution of more than \$10,000 to the lobbying activities of the registrant, and approximate percentage of equitable ownership in the client (if any) of any foreign entity that—

(A) holds at least 20 percent equitable ownership in the client or any organization identified under paragraph (3);

(B) directly or indirectly, in whole or in major part, plans, supervises, controls, directs, finances, or subsidizes the activities of the client or any organization identified under paragraph (3); or

(C) is an affiliate of the client or any organization identified under paragraph (3) and has a direct interest in the outcome of the lobbying activity;

(5) a statement of—

(A) the general issue areas in which the registrant expects to engage in lobbying activities on behalf of the client; and

(B) to the extent practicable, specific issues that have (as of the date of the registration) already been addressed or are likely to be addressed in lobbying activities; and

(6) the name of each employee of the registrant who has acted or whom the registrant expects to act as a lobbyist on behalf of the client and, if any such employee has served as a covered executive branch official or a covered legislative branch official in the 2 years before the date on which such employee first acted (after the date of enactment of this Act) as a lobbyist on behalf of the client, the position in which such employee served.

(c) GUIDELINES FOR REGISTRATION.—

(1) MULTIPLE CLIENTS.—In the case of a registrant making lobbying contacts on behalf of more than 1 client, a separate registration under this section shall be filed for each such client.

(2) MULTIPLE CONTACTS.—A registrant who makes more than 1 lobbying contact for the same client shall file a single registration covering all such lobbying contacts.

(d) TERMINATION OF REGISTRATION.—A registrant who after registration—

(1) is no longer employed or retained by a client to conduct lobbying activities, and

(2) does not anticipate any additional lobbying activities for such client,

may so notify the Secretary of the Senate and the Clerk of the House of Representatives and terminate its registration.

REPORTS BY REGISTERED LOBBYISTS

SEC. 505. (a) SEMIANNUAL REPORT.—No later than 45 days after the end of the semiannual period beginning on the first day of each January and the first day of July of each year in which a registrant is registered under section 504, each registrant shall file a report with the Secretary of the Senate and the Clerk of the House of Representatives on its lobbying activities during such semiannual period. A separate report shall be filed for each client of the registrant.

(b) CONTENTS OF REPORT.—Each semiannual report filed under subsection (a) shall contain—

(1) the name of the registrant, the name of the client, and any changes or updates to the information provided in the initial registration;

(2) for each general issue area in which the registrant engaged in lobbying activities on behalf of the client during the semiannual filing period—

(A) a list of the specific issues upon which a lobbyist employed by the registrant engaged in lobbying activities, including, to the maximum extent practicable, a list of bill numbers and references to specific executive branch actions;

(B) a statement of the Houses of Congress and the Federal agencies contacted by lobbyists employed by the registrant on behalf of the client;

(C) a list of the employees of the registrant who acted as lobbyists on behalf of the client; and

(D) a description of the interest, if any, of any foreign entity identified under section 504(b)(4) in the specific issues listed under subparagraph (A).

(3) in the case of a lobbying firm, a good faith estimate of the total amount of all income from the client (including any payments to the registrant by any other person for lobbying activities on behalf of the client) during the semiannual period, other than income for matters that are unrelated to lobbying activities; and

(4) in the case of a registrant engaged in lobbying activities on its own behalf, a good faith estimate of the total expenses that the registrant and its employees incurred in connection with lobbying activities during the semiannual filing period.

(c) ESTIMATES OF INCOME OR EXPENSES.—For purposes of this section, estimates of income or expenses shall be made as follows:

(1) Estimates of amounts in excess of \$10,000 shall be rounded to the nearest \$20,000.

(2) In the event income or expenses do not exceed \$10,000, the registrant shall include a statement that income or expenses totaled less than \$10,000 for the reporting period.

(3) A registrant that reports lobbying expenditures pursuant to section 6033(b)(8) of the Internal Revenue Code of 1986 may satisfy the requirement to report income or expenses by filing with the Secretary of the Senate and the Clerk of the House of Representatives a copy of the form filed in accordance with section 6033(b)(8).

DISCLOSURE AND ENFORCEMENT

SEC. 506. The Secretary of the Senate and the Clerk of the House of Representatives shall—

(1) provide guidance and assistance on the registration and reporting requirements of this title and develop common standards, rules, and procedures for compliance with this title;

(2) review, and, where necessary, verify and inquire to ensure the accuracy, completeness, and timeliness of registration and reports;

(3) develop filing, coding, and cross-indexing systems to carry out the purpose of this title, including—

(A) a publicly available list of all registered lobbyists, lobbying firms, and their clients; and

(B) computerized systems designed to minimize the burden of filing and maximize public access to materials filed under this title;

(4) make available for public inspection and copying at reasonable times the registrations and reports filed under this title;

(5) retain registrations for a period of at least 6 years after they are terminated and reports for a period of at least 6 years after they are filed;

(6) compile and summarize, with respect to each semiannual period, the information contained in registrations and reports filed with respect to such period in a clear and complete manner;

(7) notify any lobbyist or lobbying firm in writing that may be in noncompliance with this title; and

(8) notify the United States Attorney for the District of Columbia that a lobbyist or lobbying firm may be in noncompliance with this title, if the registrant has been notified in writing and has failed to provide an appropriate response within 60 days after notice was given under paragraph (6).

PENALTIES

SEC. 507. Whoever knowingly fails to—

(1) remedy a defective filing within 60 days after notice of such a defect by the Secretary of the Senate or the Clerk of the House of Representatives; or

(2) comply with any other provision of this title; shall, upon proof of such knowing violation by a preponderance of the evidence, be

subject to a civil fine of not more than \$50,000, depending on the extent and gravity of the violation.

RULES OF CONSTRUCTION

SEC. 508. (a) CONSTITUTIONAL RIGHTS.—Nothing in this title shall be construed to prohibit or interfere with—

(1) the right to petition the government for the redress of grievances;

(2) the right to express a personal opinion; or

(3) the right of association, protected by the first amendment to the Constitution.

(b) PROHIBITION OF ACTIVITIES.—Nothing in this title shall be construed to prohibit, or to authorize any court to prohibit, lobbying activities or lobbying contacts by any person or entity, regardless of whether such person or entity is in compliance with the requirements of this title.

(c) AUDIT AND INVESTIGATIONS.—Nothing in this title shall be construed to grant general audit or investigative authority to the Secretary of the Senate or the Clerk of the House of Representatives.

AMENDMENTS TO THE FOREIGN AGENTS REGISTRATION ACT

SEC. 509. The Foreign Agents Registration Act of 1938 (22 U.S.C. 611 et seq.) is amended—

(1) in section 1—

(A) by striking subsection (j);

(B) in subsection (o) by striking “the dissemination of political propaganda and any other activity which the person engaging therein believes will, or which he intends to, prevail upon, indoctrinate, convert, induce, persuade, or in any other way influence” and inserting “any activity that the person engaging in believes will, or that the person intends to, in any way influence”;

(C) in subsection (p) by striking the semicolon and inserting a period; and

(D) by striking subsection (q);

(2) in section 3(g) (22 U.S.C. 613(g)), by striking “established agency proceedings, whether formal or informal,” and inserting “judicial proceedings, criminal or civil law enforcement inquiries, investigations, or proceedings, or agency proceedings required by statute or regulation to be conducted on the record.”;

(3) in section 3 (22 U.S.C. 613) by adding at the end the following:

“(h) Any agent of a person described in section 1(b)(2) or an entity described in section 1(b)(3) if the agent is required to register and does register under the Lobbying Disclosure Act of 1995 in connection with the agent's representation of such person or entity.”;

(4) in section 4(a) (22 U.S.C. 614(a))—

(A) by striking “political propaganda” and inserting “informational materials”;

(B) by striking “and a statement, duly signed by or on behalf of such an agent, setting forth full information as to the places, times, and extent of such transmittal”;

(5) in section 4(b) (22 U.S.C. 614(b))—

(A) in the matter preceding clause (i), by striking “political propaganda” and inserting “informational materials”;

(B) by striking “(i) in the form of prints, or” and all that follows through the end of the subsection and inserting “without placing in such informational materials a conspicuous statement that the materials are distributed by the agent on behalf of the foreign principal, and that additional information is on file with the Department of Justice, Washington, District of Columbia. The Attorney General may by rule define what constitutes a conspicuous statement for the purposes of this subsection.”;

(6) in section 4(c) (22 U.S.C. 614(c)), by striking “political propaganda” and inserting “informational materials”;

(7) in section 6 (22 U.S.C. 616)—

(A) in subsection (a) by striking “and all statements concerning the distribution of political propaganda”;

(B) in subsection (b) by striking “, and one copy of every item of political propaganda”;

and

(C) in subsection (c) by striking “copies of political propaganda”;

(8) in section 8 (22 U.S.C. 618)—

(A) in subsection (a)(2) by striking “or in any statement under section 4(a) hereof concerning the distribution of political propaganda”;

and

(B) by striking subsection (d); and

(9) in section 11 (22 U.S.C. 621) by striking “, including the nature, sources, and content of political propaganda disseminated or distributed”.

AMENDMENTS TO THE BYRD AMENDMENT

SEC. 510. (a) REVISED CERTIFICATION REQUIREMENTS.—Section 1352(b) of title 31, United States Code, is amended—

(1) in paragraph (2) by striking subparagraphs (A), (B), and (C) and inserting the following:

“(A) the name of any registrant under the Lobbying Disclosure Act of 1995 who has made lobbying contacts on behalf of the person with respect to that Federal contract, grant, loan, or cooperative agreement; and

“(B) a certification that the person making the declaration has not made, and will not make, any payment prohibited by subsection (a).”;

(2) in paragraph (3) by striking all that follows “loan shall contain” and inserting “the name of any registrant under the Lobbying Disclosure Act of 1995 who has made lobbying contacts on behalf of the person in connection with that loan insurance or guarantee.”; and

(3) by striking paragraph (6) and redesignating paragraph (7) as paragraph (6).

(b) REMOVAL OF OBSOLETE REPORTING REQUIREMENT.—Section 1352 of title 31, United States Code, is further amended—

(1) by striking subsection (d); and

(2) by redesignating subsections (e), (f), (g), and (h) as subsections (d), (e), (f), and (g), respectively.

REPEAL OF CERTAIN LOBBYING PROVISIONS

SEC. 511. (a) REPEAL OF THE FEDERAL REGULATION OF LOBBYING ACT.—The Federal Regulation of Lobbying Act (2 U.S.C. 261 et seq.) is repealed.

(b) REPEAL OF PROVISIONS RELATING TO HOUSING LOBBYIST ACTIVITIES.—

(1) Section 13 of the Department of Housing and Urban Development Act (42 U.S.C. 3537b) is repealed.

(2) Section 536(d) of the Housing Act of 1949 (42 U.S.C. 1490p(d)) is repealed.

CONFORMING AMENDMENTS TO OTHER STATUTES

SEC. 512. (a) AMENDMENT TO COMPETITIVENESS POLICY COUNCIL ACT.—Section 5206(e) of the Competitiveness Policy Council Act (15 U.S.C. 4804(e)) is amended by inserting “or a lobbyist for a foreign entity (as the terms ‘lobbyist’ and ‘foreign entity’ are defined under section 503 of the Lobbying Disclosure Act of 1995)” after “an agent for a foreign principal”.

(b) AMENDMENTS TO TITLE 18, UNITED STATES CODE.—Section 219(a) of title 18, United States Code, is amended—

(1) by inserting “or a lobbyist required to register under the Lobbying Disclosure Act of 1995 in connection with the representation of a foreign entity, as defined in section 503(7) of that Act” after “an agent of a foreign principal required to register under the Foreign Agents Registration Act of 1938”;

and

(2) by striking out “, as amended.”.

(c) AMENDMENT TO FOREIGN SERVICE ACT OF 1980.—Section 602(c) of the Foreign Service

Act of 1980 (22 U.S.C. 4002(c)) is amended by inserting “or a lobbyist for a foreign entity (as defined in section 503(7) of the Lobbying Disclosure Act of 1995)” after “an agent of a foreign principal (as defined by section 1(b) of the Foreign Agents Registration Act of 1938)”.

SEVERABILITY

SEC. 513. If any provision of this title, or the application thereof, is held invalid, the validity of the remainder of this title and the application of such provision to other persons and circumstances shall not be affected thereby.

IDENTIFICATION OF CLIENTS AND COVERED OFFICIALS

SEC. 514. (a) ORAL LOBBYING CONTACTS.—Any person or entity that makes an oral lobbying contact with a covered legislative branch official or a covered executive branch official shall, on the request of the official at the time of the lobbying contact—

(1) state whether the person or entity is registered under this title and identify the client on whose behalf the lobbying contact is made; and

(2) state whether such client is a foreign entity and identify any foreign entity required to be disclosed under section 504(b)(4) that has a direct interest in the outcome of the lobbying activity.

(b) WRITTEN LOBBYING CONTACTS.—Any person or entity registered under this title that makes a written lobbying contact (including an electronic communication) with a covered legislative branch official or a covered executive branch official shall—

(1) if the client on whose behalf the lobbying contact was made is a foreign entity, identify such client, state that the client is considered a foreign entity under this title, and state whether the person making the lobbying contact is registered on behalf of that client under section 504; and

(2) identify any other foreign entity identified pursuant to section 504(b)(4) that has a direct interest in the outcome of the lobbying activity.

(c) IDENTIFICATION AS COVERED OFFICIAL.—Upon request by a person or entity making a lobbying contact, the individual who is contacted or the office employing that individual shall indicate whether or not the individual is a covered legislative branch official or a covered executive branch official.

ESTIMATES BASED ON TAX REPORTING SYSTEM

SEC. 515. (a) ENTITIES COVERED BY SECTION 6033(b) OF THE INTERNAL REVENUE CODE OF 1986.—A registrant that is required to report and does report lobbying expenditures pursuant to section 6033(b)(8) of the Internal Revenue Code of 1986 may—

(1) make a good faith estimate (by category of dollar value) of applicable amounts that would be required to be disclosed under such section for the appropriate semiannual period to meet the requirements of sections 504(a)(3), 505(a)(2), and 505(b)(4); and

(2) in lieu of using the definition of “lobbying activities” in section 503(8) of this title, consider as lobbying activities only those activities that are influencing legislation as defined in section 4911(d) of the Internal Revenue Code of 1986.

(b) ENTITIES COVERED BY SECTION 162(e) OF THE INTERNAL REVENUE CODE OF 1986.—A registrant that is subject to section 162(e) of the Internal Revenue Code of 1986 may—

(1) make a good faith estimate (by category of dollar value) of applicable amounts that would not be deductible pursuant to such section for the appropriate semiannual period to meet the requirements of sections 504(a)(3), 505(a)(2), and 505(b)(4); and

(2) in lieu of using the definition of “lobbying activities” in section 503(8) of this title,

consider as lobbying activities only those activities, the costs of which are not deductible pursuant to section 162(e) of the Internal Revenue Code of 1986.

(c) DISCLOSURE OF ESTIMATE.—Any registrant that elects to make estimates required by this title under the procedures authorized by subsection (a) or (b) for reporting or threshold purposes shall—

(1) inform the Secretary of the Senate and the Clerk of the House of Representatives that the registrant has elected to make its estimates under such procedures; and

(2) make all such estimates, in a given calendar year, under such procedures.

(d) STUDY.—Not later than March 31, 1997, the Comptroller General of the United States shall review reporting by registrants under subsections (a) and (b) and report to the Congress—

(1) the differences between the definition of “lobbying activities” in section 503(8) and the definitions of “lobbying expenditures”, “influencing legislation”, and related terms in sections 162(e) and 4911 of the Internal Revenue Code of 1986, as each are implemented by regulations;

(2) the impact that any such differences may have on filing and reporting under this title pursuant to this subsection; and

(3) any changes to this title or to the appropriate sections of the Internal Revenue Code of 1986 that the Comptroller General may recommend to harmonize the definitions.

EFFECTIVE DATES

SEC. 516. (a) Except as otherwise provided in this section, this title and the amendments made by this title shall take effect on January 1, 1996.

(b) The repeals and amendments made under sections 513, 514, and 515 shall take effect as provided under subsection (a), except that such repeals and amendments—

(1) shall not affect any proceeding or suit commenced before the effective date under subsection (a), and in all such proceedings or suits, proceedings shall be had, appeals taken, and judgments rendered in the same manner and with the same effect as if this title had not been enacted; and

(2) shall not affect the requirements of Federal agencies to compile, publish, and retain information filed or received before the effective date of such repeals and amendments.

Mr. FROST. Mr. Speaker, I further include at this point in the RECORD the following material concerning floor procedure during the 104th Congress:

FLOOR PROCEDURE IN THE 104TH CONGRESS; COMPILED BY THE RULES COMMITTEE DEMOCRATS

Bill No.	Title	Resolution No.	Process used for floor consideration	Amendments in order
H.R. 1*	Compliance	H. Res. 6	Closed	None.
H. Res. 6	Opening Day Rules Package	H. Res. 5	Closed; contained a closed rule on H.R. 1 within the closed rule	None.
H.R. 5*	Unfunded Mandates	H. Res. 38	Restrictive: Motion adopted over Democratic objection in the Committee of the Whole to limit debate on section 4; Pre-printing gets preference.	N/A.
H.J. Res. 2*	Balanced Budget	H. Res. 44	Restrictive; only certain substitutes	2R; 4D.
H. Res. 43	Committee Hearings Scheduling	H. Res. 43 (OJ)	Restrictive: considered in House no amendments	N/A.
H.R. 2*	Line Item Veto	H. Res. 55	Open; Pre-printing gets preference	N/A.
H.R. 665*	Victim Restitution Act of 1995	H. Res. 61	Open; Pre-printing gets preference	N/A.
H.R. 666*	Exclusionary Rule Reform Act of 1995	H. Res. 60	Open; Pre-printing gets preference	N/A.
H.R. 667*	Violent Criminal Incarceration Act of 1995	H. Res. 63	Restrictive; 10 hr. Time Cap on amendments	N/A.
H.R. 668*	The Criminal Alien Deportation Improvement Act	H. Res. 69	Open; Pre-printing gets preference; Contains self-executing provision	N/A.
H.R. 728*	Local Government Law Enforcement Block Grants	H. Res. 79	Restrictive; 10 hr. Time Cap on amendments; Pre-printing gets preference	N/A.
H.R. 7*	National Security Revitalization Act	H. Res. 83	Restrictive; 10 hr. Time Cap on amendments; Pre-printing gets preference	N/A.
H.R. 729*	Death Penalty/Habeas	N/A	Restrictive: brought up under UC with a 6 hr. time cap on amendments	N/A.
S. 2	Senate Compliance	N/A	Closed; Put on Suspension Calendar over Democratic objection	None.
H.R. 831	To Permanently Extend the Health Insurance Deduction for the Self-Employed.	H. Res. 88	Restrictive: makes in order only the Gibbons amendment; Waives all points of order; Contains self-executing provision.	1D.
H.R. 830*	The Paperwork Reduction Act	H. Res. 91	Open	N/A.
H.R. 889	Emergency Supplemental/Rescinding Certain Budget Authority	H. Res. 92	Restrictive; makes in order only the Obey substitute	1D.
H.R. 450*	Regulatory Moratorium	H. Res. 93	Restrictive; 10 hr. Time Cap on amendments; Pre-printing gets preference	N/A.
H.R. 1022*	Risk Assessment	H. Res. 96	Restrictive; 10 hr. Time Cap on amendments	N/A.
H.R. 926*	Regulatory Flexibility	H. Res. 100	Open	N/A.
H.R. 925*	Private Property Protection Act	H. Res. 101	Restrictive; 12 hr. time cap on amendments; Requires Members to pre-print their amendments in the Record prior to the bill's consideration for amendment, waives germaneness and budget act points of order as well as points of order concerning appropriating on a legislative bill against the committee substitute used as base text.	1D.
H.R. 1058*	Securities Litigation Reform Act	H. Res. 105	Restrictive; 8 hr. time cap on amendments; Pre-printing gets preference; Makes in order the Wyden amendment and waives germaneness against it.	1D.
H.R. 988*	The Attorney Accountability Act of 1995	H. Res. 104	Restrictive; 7 hr. time cap on amendments; Pre-printing gets preference	N/A.
H.R. 956*	Product Liability and Legal Reform Act	H. Res. 109	Restrictive: makes in order only 15 germane amendments and denies 64 germane amendments from being considered.	8D; 7R.
H.R. 1158	Making Emergency Supplemental Appropriations and Rescissions	H. Res. 115	Restrictive: Combines emergency H.R. 1158 & nonemergency 1159 and strikes the abortion provision; makes in order only pre-printed amendments that include offsets within the same chapter (deeper cuts in programs already cut); waives points of order against three amendments; waives cl 2 of rule XXI against the bill, cl 2, XXI and cl 7 of rule XVI against the substitute; waives cl 2(e) of rule XXI against the amendments in the Record; 10 hr time cap on amendments. 30 minutes debate on each amendment.	N/A.
H.J. Res. 73*	Term Limits	H. Res. 116	Restrictive: Makes in order only 4 amendments considered under a “Queen of the Hill” procedure and denies 21 germane amendments from being considered.	1D; 3R.
H.R. 4*	Welfare Reform	H. Res. 119	Restrictive: Makes in order only 31 perfecting amendments and two substitutes; Denies 130 germane amendments from being considered; The substitutes are to be considered under a “Queen of the Hill” procedure; All points of order are waived against the amendments.	5D; 26R.
H.R. 1271*	Family Privacy Act	H. Res. 125	Open	N/A.
H.R. 660*	Housing for Older Persons Act	H. Res. 126	Open	N/A.
H.R. 1215*	The Contract With America Tax Relief Act of 1995	H. Res. 129	Restrictive: Self Executes language that makes tax cuts contingent on the adoption of a balanced budget plan and strikes section 3006. Makes in order only one substitute. Waives all points of order against the bill, substitute made in order as original text and Gephardt substitute.	1D.
H.R. 483	Medicare Select Extension	H. Res. 130	Restrictive: waives cl 2(1)(6) of rule XI against the bill; makes H.R. 1391 in order as original text; makes in order only the Dingell substitute; allows Commerce Committee to file a report on the bill at any time.	1D.
H.R. 655	Hydrogen Future Act	H. Res. 136	Open	N/A.
H.R. 1361	Coast Guard Authorization	H. Res. 139	Open; waives sections 302(f) and 308(a) of the Congressional Budget Act against the bill's consideration and the committee substitute; waives cl 5(a) of rule XXI against the committee substitute.	N/A.
H.R. 961	Clean Water Act	H. Res. 140	Open; pre-printing gets preference; waives sections 302(f) and 602(b) of the Budget Act against the bill's consideration; waives cl 7 of rule XVI, cl 5(a) of rule XXI and section 302(f) of the Budget Act against the committee substitute. Makes in order Shuster substitute as first order of business.	N/A.
H.R. 535	Corning National Fish Hatchery Conveyance Act	H. Res. 144	Open	N/A.
H.R. 584	Conveyance of the Fairport National Fish Hatchery to the State of Iowa.	H. Res. 145	Open	N/A.
H.R. 614	Conveyance of the New London National Fish Hatchery Production Facility.	H. Res. 146	Open	N/A.
H. Con. Res. 67	Budget Resolution	H. Res. 149	Restrictive: Makes in order 4 substitutes under regular order: Gephardt, Neumann/Solomon, Payne/Owens, President's Budget if printed in Record on 5/17/95; waives all points of order against substitutes and concurrent resolution; suspends application of Rule XLIX with respect to the resolution; self-executes Agriculture language.	3D; 1R.
H.R. 1561	American Overseas Interests Act of 1995	H. Res. 155	Restrictive: Requires amendments to be printed in the Record prior to their consideration; 10 hr. time cap; waives cl 2(1)(6) of rule XI against the bill's consideration; Also waives sections 302(f), 303(a), 308(a) and 402(a) against the bill's consideration and the committee amendment in order as original text; waives cl 5(a) of rule XXI against the amendment; amendment consideration is closed at 2:30 p.m. on May 25, 1995. Self-executes provision which removes section 2210 from the bill. This was done at the request of the Budget Committee.	N/A.
H.R. 1530	National Defense Authorization Act FY 1996	H. Res. 164	Restrictive: Makes in order only the amendments printed in the report; waives all points of order against the bill, substitute and amendments printed in the report. Gives the Chairman en bloc authority. Self-executes a provision which strikes section 807 of the bill; provides for an additional 30 min. of debate on Nunn-Lugar section; Allows Mr. Clinger to offer a modification of his amendment with the concurrence of Ms. Collins.	36R; 18D; 2 Bipartisan.
H.R. 1817	Military Construction Appropriations; FY 1996	H. Res. 167	Open; waives cl 2 and cl 6 of rule XXI against the bill; 1 hr. general debate; Uses House passed budget numbers as threshold for spending amounts pending passage of Budget.	N/A.

FLOOR PROCEDURE IN THE 104TH CONGRESS; COMPILED BY THE RULES COMMITTEE DEMOCRATS—Continued

Bill No.	Title	Resolution No.	Process used for floor consideration	Amendments in order
H.R. 1854	Legislative Branch Appropriations	H. Res. 169	Restrictive: Makes in order only 11 amendments; waives sections 302(f) and 308(a) of the Budget Act against the bill and cl 2 and cl 6 of rule XXI against the bill. All points of order are waived against the amendments.	5R; 4D; 2 Bipartisan.
H.R. 1868	Foreign Operations Appropriations	H. Res. 170	Open; waives cl 2, cl 5(b), and cl 6 of rule XXI against the bill; makes in order the Gilman amendments as first order of business; waives all points of order against the amendments; if adopted they will be considered as original text; waives cl 2 of rule XXI against the amendments printed in the report. Pre-printing gets priority (Hall) (Menendez) (Goss) (Smith, NJ).	N/A.
H.R. 1905	Energy & Water Appropriations	H. Res. 171	Open; waives cl 2 and cl 6 of rule XXI against the bill; makes in order the Shuster amendment as the first order of business; waives all points of order against the amendment; if adopted it will be considered as original text. Pre-printing gets priority.	N/A.
H.J. Res. 79	Constitutional Amendment to Permit Congress and States to Prohibit the Physical Desecration of the American Flag.	H. Res. 173	Closed; provides one hour of general debate and one motion to recommit with or without instructions; if there are instructions, the MO is debatable for 1 hr.	N/A.
H.R. 1944	Recissions Bill	H. Res. 175	Restrictive: Provides for consideration of the bill in the House; Permits the Chairman of the Appropriations Committee to offer one amendment which is unamendable; waives all points of order against the amendment.	N/A.
H.R. 1868 (2nd rule)	Foreign Operations Appropriations	H. Res. 177	Restrictive: Provides for further consideration of the bill; makes in order only the four amendments printed in the rules report (20 min each). Waives all points of order against the amendments; Prohibits intervening motions in the Committee of the Whole; Provides for an automatic rise and report following the disposition of the amendments.	N/A.
H.R. 70	Exports of Alaskan North Slope Oil	H. Res. 197	Open; Makes in order the Resources Committee amendment in the nature of a substitute as original text; Pre-printing gets priority; Provides a Senate hook-up with S. 395.	N/A.
H.R. 2076	Commerce, Justice Appropriations	H. Res. 198	Open; waives cl 2 and cl 6 of rule XXI against provisions in the bill; Pre-printing gets priority; provides the bill be read by title.	N/A.
H.R. 2099	VA/HUD Appropriations	H. Res. 201	Open; waives cl 2 and cl 6 of rule XXI against provisions in the bill; Provides that the amendment in part 1 of the report is the first business, if adopted it will be considered as base text (30 min); waives all points of order against the Klug and Davis amendments; Pre-printing gets priority; Provides that the bill be read by title.	N/A.
S. 21	Termination of U.S. Arms Embargo on Bosnia	H. Res. 204	Restrictive: 3 hours of general debate; Makes in order an amendment to be offered by the Minority Leader or a designee (1 hr); If motion to recommit has instructions it can only be offered by the Minority Leader or a designee.	ID.
H.R. 2126	Defense Appropriations	H. Res. 205	Open; waives cl 2(1)(6) of rule XI and section 306 of the Congressional Budget Act against consideration of the bill; waives cl 2 and cl 6 of rule XXI against provisions in the bill; self-executes a strike of sections 8021 and 8024 of the bill as requested by the Budget Committee; Pre-printing gets priority; Provides the bill be read by title.	N/A.
H.R. 1555	Communications Act of 1995	H. Res. 207	Restrictive: waives sec. 302(f) of the Budget Act against consideration of the bill; Makes in order the Commerce Committee amendment as original text and waives sec. 302(f) of the Budget Act and cl 5(a) of rule XXI against the amendment; Makes in order the Bilely amendment (30 min) as the first order of business, if adopted it will be original text; makes in order only the amendments printed in the report and waives all points of order against the amendments; provides a Senate hook-up with S. 652.	2R/3D/3 Bipartisan.
H.R. 1977 "Rule Defeated"	Interior Appropriations	H. Res. 185	Open; waives sections 302(f) and 308(a) of the Budget Act and cl 2 and cl 6 of rule XXI; provides that the bill be read by title; waives all points of order against the Tauzin amendment; self-executes Budget Committee amendment; waives cl 2(e) of rule XXI against amendments to the bill; Pre-printing gets priority.	N/A.
H.R. 1977	Interior Appropriations	H.Res. 187	Open; waives sections 302(f), 306 and 308(a) of the Budget Act; waives clauses 2 and 6 of rule XXI against provisions in the bill; waives all points of order against the Tauzin amendment; provides that the bill be read by title; self-executes Budget Committee amendment and makes NEA funding subject to House passed authorization; waives cl 2(e) of rule XXI against the amendments to the bill; Pre-printing gets priority.	N/A.
H.R. 1976	Agriculture Appropriations	H. Res. 188	Open; waives clauses 2 and 6 of rule XXI against provisions in the bill; provides that the bill be read by title; Makes Skeen amendment first order of business, if adopted the amendment will be considered as base text (10 min.); Pre-printing gets priority.	N/A.
H.R. 1977 (3rd rule)	Interior Appropriations	H. Res. 189	Restrictive: provides for the further consideration of the bill; allows only amendments pre-printed before July 14th to be considered; limits motions to rise.	N/A.
H.R. 2020	Treasury Postal Appropriations	H. Res. 190	Open; waives cl 2 and cl 6 of rule XXI against provisions in the bill; provides the bill be read by title; Pre-printing gets priority.	N/A.
H.J. Res. 96	Disapproving MFN for China	H. Res. 193	Restrictive: provides for consideration in the House of H.R. 2058 (90 min.) And H.J. Res. 96 (1 hr). Waives certain provisions of the Trade Act.	N/A.
H.R. 2002	Transportation Appropriations	H. Res. 194	Open; waives cl 3 of rule XIII and section 401 (a) of the CBA against consideration of the bill; waives cl 6 and cl 2 of rule XXI against provisions in the bill; Makes in order the Clinger/Solomon amendment waives all points of order against the amendment (Line Item Veto); provides the bill be read by title; Pre-printing gets priority..	N/A.
H.R. 2127	Labor/HHS Appropriations Act	H. Res. 208	*RULE AMENDED* Open; Provides that the first order of business will be the managers amendments (10 min), if adopted they will be considered as base text; waives cl 2 and cl 6 of rule XXI against provisions in the bill; waives all points of order against certain amendments printed in the report; Pre-printing gets priority; Provides the bill be read by title.	N/A
H.R. 1594	Economically Targeted Investments	H. Res. 215	Open; 2 hr of gen. debate; makes in order the committee substitute as original text	N/A
H.R. 1655	Intelligence Authorization	H. Res. 216	Restrictive: waives sections 302(f), 308(a) and 401(b) of the Budget Act. Makes in order the committee substitute as modified by Govt. Reform amend (striking sec. 505) and an amendment striking title VII. Cl 7 of rule XVI and cl 5(a) of rule XXI are waived against the substitute. Sections 302(f) and 401(b) of the CBA are also waived against the substitute. Amendments must also be pre-printed in the Congressional record.	N/A
H.R. 1162	Deficit Reduction Lock Box	H. Res. 218	Open; waives cl 7 of rule XVI against the committee substitute made in order as original text; Pre-printing gets priority.	N/A
H.R. 1670	Federal Acquisition Reform Act of 1995	H. Res. 219	Open; waives sections 302(f) and 308(a) of the Budget Act against consideration of the bill; bill will be read by title; waives cl 5(a) of rule XXI and section 302(f) of the Budget Act against the committee substitute. Pre-printing gets priority.	N/A
H.R. 1617	To Consolidate and Reform Workforce Development and Literacy Programs Act (CAREERS).	H. Res. 222	Open; waives section 302(f) and 401(b) of the Budget Act against the substitute made in order as original text (H.R. 2332), cl 5(a) of rule XXI is also waived against the substitute. provides for consideration of the managers amendment (10 min.) If adopted, it is considered as base text.	N/A
H.R. 2274	National Highway System Designation Act of 1995	H. Res. 224	Open; waives section 302(f) of the Budget Act against consideration of the bill; Makes H.R. 2349 in order as original text; waives section 302(f) of the Budget Act against the substitute; provides for the consideration of a managers amendment (10 min) If adopted, it is considered as base text; Pre-printing gets priority.	N/A
H.R. 927	Cuban Liberty and Democratic Solidarity Act of 1995	H. Res. 225	Restrictive: waives cl 2(L)(2)(B) of rule XI against consideration of the bill; makes in order H.R. 2347 as base text; waives cl 7 of rule XVI against the substitute; Makes Hamilton amendment the first amendment to be considered (1 hr). Makes in order only amendments printed in the report.	2R/2D
H.R. 743	The Teamwork for Employees and managers Act of 1995	H. Res. 226	Open; waives cl 2(1)(2)(b) of rule XI against consideration of the bill; makes in order the committee amendment as original text; Pre-printing get priority.	N/A
H.R. 1170	3-Judge Court for Certain Injunctions	H. Res. 227	Open; makes in order a committee amendment as original text; Pre-printing gets priority	N/A
H.R. 1601	International Space Station Authorization Act of 1995	H. Res. 228	Open; makes in order a committee amendment as original text; pre-printing gets priority	N/A
H.R. 2405	Omnibus Civilian Science Authorization Act of 1995	H. Res. 234	Open; self-executes a provision striking section 304(b)(3) of the bill (Commerce Committee request); Pre-printing gets priority.	N/A
H.R. 2259	To Disapprove Certain Sentencing Guideline Amendments	H. Res. 237	Restrictive: waives cl 2(1)(2)(B) of rule XI against the bill's consideration; makes in order the text of the Senate bill S. 1254 as original text; Makes in order only a Conyers substitute; provides a senate hook-up after adoption.	1D
H.R. 2425	Medicare Preservation Act	H. Res. 238	Restrictive: waives all points of order against the bill's consideration; makes in order the text of H.R. 2485 as original text; waives all points of order against H.R. 2485; makes in order only an amendment offered by the Minority Leader or a designee; waives all points of order against the amendment; waives cl 5(c) of rule XXI (¾ requirement on votes raising taxes).	1D
H.R. 2492	Legislative Branch Appropriations Bill	H. Res. 239	Restrictive: provides for consideration of the bill in the House	N/A

FLOOR PROCEDURE IN THE 104TH CONGRESS; COMPILED BY THE RULES COMMITTEE DEMOCRATS—Continued—Continued

Bill No.	Title	Resolution No.	Process used for floor consideration	Amendments in order
H.R. 2491	7 Year Balanced Budget Reconciliation	H. Res. 245	Restrictive: makes in order H.R. 2517 as original text; waives all points of order against the bill; Makes in order only H.R. 2530 as an amendment only if offered by the Minority Leader or a designee; waives all points of order against the amendment; waives cl 59(c) of rule XXI (½ requirement on votes raising taxes).	10
H. Con. Res. 109	Social Security Earnings Test Reform			

* Contract Bills, 67% restrictive; 33% open. ** All legislation, 53% restrictive; 47% open. *** Restrictive rules are those which limit the number of amendments which can be offered, and include so called modified open and modified closed rules as well as completely closed rules and rules providing for consideration in the House as opposed to the Committee of the Whole. This definition of restrictive rule is taken from the Republican chart of resolutions reported from the Rules Committee in the 103rd Congress. **** Not included in this chart are three bills which should have been placed on the Suspension Calendar. H.R. 101, H.R. 400, H.R. 440.

Mr. FROST. Mr. Speaker, I yield 1½ minutes to the gentlewoman from Texas [Ms. JACKSON-LEE].

Ms. JACKSON-LEE. Mr. Speaker, I think it is important for us really to stop the ballyhoo and just tell the truth; just with a swift 1-day hearing on Medicare and an overwhelming and devastating vote last week, we tore the Medicare Program apart. But yet we are being asked today to put off for tomorrow what we can actually do today.

This is a bipartisan effort. We need to throw away the gifts, the golf clubs and whatever else takes us away from the work of this body.

I came to this Congress just this year as a freshman, and on the very first day I stood up and spoke against gifts and lobbyists who cloud the issues and sometimes write the legislation. It is time now to defeat the previous question and join the leadership of the gentleman from California and the gentleman from Texas, both of whom have worked consistently in this bipartisan effort to support gift ban legislation.

What is the problem of voting today on gift and lobby reform. This legislation is the people's legislation—it is important to vote on this legislation to reform our own House today.

Let me also correct the record. In the 103d Congress this U.S. Congress, under Democratic rule, voted overwhelmingly for gift and lobby reform. It then went to the Senate. The conference report was accepted by the House with gift and lobby reform included. The House again voted overwhelmingly. Do you know what happened then, the reason why it was not passed, because there was a Republican filibuster led by the gentleman from Kansas, in the other body, who helped defeat important gift and lobby reform.

It is important to defeat the previous question. It is time now today to vote in the right direction for the U.S. Congress to support today gift and lobby reform by defeating the previous question.

Mr. Speaker, why put off for tomorrow what you can do today? This should be a bipartisan effort. The issue of gift and lobby reform has been an issue that I have supported since I became a Member of Congress 10 months ago. In fact, on the day that I was sworn in as a Member of Congress, I expressed my views that there was a strong need for gift reform and lobby reform so that we could increase the confidence of the American people in their elected representatives.

The Senate has already supported gift and lobby reform in a resounding vote with 98 Senators supporting reform and no Senators opposing reform. It is clear to me that we should act without delay.

I urge my colleagues to vote against the previous question on the rule on the legislative branch appropriations bill so that we can amend the rule to include certain provisions on gift and lobby reform.

The provisions that Congressmen FAZIO and BRYANT would like to offer are reasonable and ought to be supported by all Members of the House of Representatives. Those provisions are identical to provisions passed by the Senate.

The provisions would limit the total value of gifts that a member of a staff member could accept to \$100 per year from any source. No individual gift including meals or entertainment could cost more than \$50. Free travel for recreational events such as charity, golf, and ski trips would be prohibited. Meetings and fact-finding trips in connection with official duties would still be permissible.

Many Members of the House have spoken in previous months on the need for reform. Now is the time to act. If we include these provisions in the legislative branch appropriations bill, the President would be in a position to sign those provisions into law as soon as possible.

□ 1130

Mr. FROST. Mr. Speaker, I yield 3 minutes to the gentleman from Texas [Mr. DOGGETT].

Mr. DOGGETT. Mr. Speaker, you know, sometimes these gifts come gift wrapped, with a ski trip, a golf fee being paid, a little Cabernet Sauvignon. Sometimes they are not big enough to hold the gifts that come. Because the whole problem is that our Republican colleagues, when they talk about reform, and it is an amazing response to our request for bipartisan support to clean this place up, instead of getting a broom, they get a golf club. They have been unwilling to stand up to the golf caucus in this House. Since day one, they have given us plenty of speeches, they have given us plenty of talk of delay, but they have done absolutely nothing to separate the union between this Congress and the lobby. In fact, they place the lobby on the committee dais. They turned over committee computers to the lobby to write the bills up here. We ought to be putting the lobby names on some of these reforms, like the Gingrich golden rule Medicare cut bill that we passed here a couple of weeks ago.

That is the way they have chosen to operate this House. And now, now that we have pressured them to come forward with reform, after they voted against cleaning this House up on January 4 they voted against cleaning this House up on June 20, they voted against cleaning this House up on June 22, they voted against cleaning this House up on September 6, last week

they got so scared about it they jerked this bill off the floor. So, finally, after all the pressure from the Democratic Party, which last year the Democrat Congress passed reform twice, only to see Republicans kill it over in the Senate, finally, they have given us their answer: They held another press conference.

Well, is that not marvelous? At that press conference they told us, as they have this morning, oh, they want to improve the Senate bill. They want to strengthen it. And what was the one example that they gave us of strengthening it at that great press conference? The golf caucus ruled again. They said they might have an exemption for us in the Senate bill to allow more golf gatherings to occur. That is the kind of reform we have been promised here.

Mr. Speaker, I would say that what we need is not more speeches, not more press releases, but a little more bipartisanship. Indeed, in the words of an old Texas song, what we need is a little less talk, and a lot more action. It is time to get down to the main attraction, which is not a matter of showmanship, but a matter of action on this bill.

Dr. King said it more eloquently, when he said that often wait means never. And that is exactly what it means. They have a plan to delay this bill and delay reform, to respond to the golf caucus, not to the needs of the American people.

It is time clean up this House, and to do it today; not with a golf club, but with a broom. All we are asking is that bill that these very Members say they have sponsored, that they support, a bill that was approved in the U.S. Senate by a vote of 98 to 0, with Republicans and Democrats coming together, that that be made law today; not next week, not never.

Mr. DIAZ-BALART. Mr. Speaker, I yield myself the balance of my time.

The SPEAKER pro tempore (Mr. UPTON). The gentleman from Florida is recognized for 30 seconds.

Mr. DIAZ-BALART. Mr. Speaker, after 40 years of status quo, we have passed more reforms in this House than they have proposed in 40 years; and now we have a commitment by the leadership of this House to bring forth this legislation on gift and lobbying reform before November 16 to this House. That is after balancing the Federal budget, after 40 years of lack of action by the other side, and after saving Medicare.

I am proud of what this leadership has done. I am proud of the commitment to bring forth what they been

posturing about, in reality and genuinely, before November 16.

Mr. Speaker, I move the previous question on the resolution.

The SPEAKER pro tempore. The question is on ordering the previous question.

The question was taken; and the Speaker pro tempore announced that the noes appeared to have it.

Mr. DIAZ-BALART. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to the provisions of clause 5 of rule XV, the Chair announces he will reduce to minimum of 5 minutes the period of time within which a vote by electronic device, if ordered, will be taken on the question of agreeing to the resolution.

The vote was taken by electronic device, and there were—yeas 235, nays 184, not voting 13, as follows:

[Roll No. 746]

YEAS—235

Allard	Ensign	Lewis (CA)
Archer	Everett	Lewis (KY)
Army	Ewing	Lightfoot
Bachus	Fawell	Linder
Baker (CA)	Fields (TX)	Livingston
Baker (LA)	Flanagan	LoBiondo
Ballenger	Foley	Longley
Barr	Forbes	Lucas
Barrett (NE)	Fowler	Manzullo
Bartlett	Fox	Martini
Barton	Franks (CT)	McCollum
Bass	Franks (NJ)	McCrery
Bateman	Frelinghuysen	McDade
Bereuter	Frisa	McHugh
Bilbray	Funderburk	McInnis
Bilirakis	Galleghy	McIntosh
Bliley	Ganske	McKeon
Blute	Gekas	Metcalfe
Boehlert	Gilchrest	Meyers
Boehner	Gillmor	Mica
Bonilla	Gilman	Miller (FL)
Bono	Goodlatte	Molinari
Boucher	Goodling	Moorhead
Brewster	Goss	Morella
Brownback	Graham	Myers
Bryant (TN)	Greenwood	Myrick
Bunn	Gunderson	Nethercutt
Bunning	Gutknecht	Neumann
Burr	Hancock	Ney
Burton	Hansen	Norwood
Buyer	Hastert	Nussle
Callahan	Hastings (WA)	Packard
Calvert	Hayes	Parker
Camp	Hayworth	Paxon
Canady	Hefley	Petri
Castle	Heineman	Pombo
Chabot	Herger	Porter
Chambliss	Hilleary	Portman
Chenoweth	Hobson	Pryce
Christensen	Hoekstra	Quillen
Chrysler	Hoke	Quinn
Clinger	Horn	Radanovich
Coble	Hostettler	Ramstad
Coburn	Houghton	Regula
Collins (GA)	Hunter	Roberts
Combest	Hutchinson	Rogers
Cooley	Hyde	Rohrabacher
Cox	Inglis	Ros-Lehtinen
Crane	Istook	Roth
Crapo	Johnson (CT)	Roukema
Cremeans	Johnson, Sam	Royce
Cubin	Jones	Salmon
Cunningham	Kasich	Sanford
Davis	Kelly	Saxton
Deal	Kim	Scarborough
DeLay	King	Schaefer
Diaz-Balart	Kingston	Schiff
Dickey	Klug	Seastrand
Doolittle	Knollenberg	Sensenbrenner
Dornan	Kolbe	Shadegg
Dreier	LaHood	Shaw
Duncan	Largent	Shays
Dunn	Latham	Shuster
Ehlers	LaTourette	Skeen
Ehrlich	Laughlin	Smith (MI)
Emerson	Lazio	Smith (NJ)
English	Leach	Smith (TX)

Smith (WA)
Solomon
Souder
Spence
Stearns
Stockman
Stump
Talent
Tate
Tauzin
Taylor (NC)
Thomas

Thornberry
Tiahrt
Torkildsen
Traficant
Upton
Vucanovich
Waldholtz
Walker
Walsh
Wamp
Watts (OK)
Weldon (FL)

Weller
White
Whitfield
Wicker
Wilson
Wolf
Young (AK)
Young (FL)
Zeliff
Zimmer

NAYS—184

Abercrombie
Ackerman
Baesler
Baldacci
Barcia
Barrett (WI)
Becerra
Beilenson
Bentsen
Berman
Bevill
Bishop
Bonior
Borski
Browder
Brown (CA)
Brown (FL)
Brown (OH)
Bryant (TX)
Cardin
Chapman
Clay
Clayton
Clement
Clyburn
Coleman
Collins (IL)
Condit
Costello
Coyne
Cramer
Danner
de la Garza
DeFazio
DeLauro
Dellums
Deutsch
Dicks
Dingell
Dixon
Doggett
Dooley
Doyle
Durbin
Ewards
Engel
Eshoo
Evans
Farr
Fattah
Fazio
Filner
Flake
Foglietta
Ford
Frank (MA)
Frost
Furse
Gejdenson
Gephardt
Geren
Gibbons

Gonzalez
Gordon
Green
Gutierrez
Hall (OH)
Hall (TX)
Hamilton
Hastings (FL)
Hefner
Hinchee
Holden
Hoyer
Jackson-Lee
Jacobs
Jefferson
Johnson (SD)
Johnson, E.B.
Johnston
Kanjorski
Kennedy (MA)
Kennedy (RI)
Kennelly
Kildee
Klecza
Klink
LaFalce
Lantos
Levin
Lewis (GA)
Lincoln
Lipinski
Lofgren
Lowey
Luther
Maloney
Manton
Markey
Martinez
Mascara
Matsui
McCarthy
McDermott
McHale
McKinney
McNulty
Meehan
Meek
Menendez
Miller (CA)
Minge
Mink
Mollohan
Montgomery
Moran
Murtha
Nadler
Neal
Oberstar
Obey
Olver
Ortiz
Orton

Owens
Pallone
Pastor
Payne (NJ)
Payne (VA)
Pelosi
Peterson (FL)
Peterson (MN)
Pickett
Pomeroy
Poshard
Rahall
Rangel
Reed
Richardson
Rivers
Roemer
Rose
Roybal-Allard
Rush
Sabo
Sanders
Sawyer
Schroeder
Schumer
Scott
Serrano
Sisisky
Skaggs
Skelton
Slaughter
Spratt
Stark
Stenholm
Stokes
Studds
Stupak
Tanner
Taylor (MS)
Tejeda
Thompson
Thornton
Thurman
Torres
Torricelli
Towns
Velazquez
Vento
Visclosky
Volkmer
Ward
Waters
Watt (NC)
Waxman
Williams
Wise
Woolsey
Wyden
Wynn
Yates

NOT VOTING—13

Andrews
Collins (MI)
Conyers
Fields (LA)
Harman

Hilliard
Kaptur
Mfume
Moakley
Oxley

Riggs
Tucker
Weldon (PA)

□ 1154

Messrs. SKELTON, MARTINEZ, and PETERSON of Florida changed their vote from “yea” to “nay.”

Mr. DICKEY changed his vote from “nay” to “yea.”

So the previous question was ordered. The result of the vote was announced as above recorded.

The SPEAKER pro tempore (Mr. UPTON). The question is on the resolution.

The resolution was agreed to.

A motion to reconsider was laid on the table.

GENERAL LEAVE

Mr. PACKARD. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks on the bill, H.R. 2429, and that I may include tabular and extraneous material and charts.

The SPEAKER pro tempore (Mr. BARRETT of Nebraska). Is there objection to the request of the gentleman from California?

There was no objection.

LEGISLATIVE BRANCH APPROPRIATIONS ACT, 1996

Mr. PACKARD. Mr. Speaker, pursuant to House Resolution 239, I call up the bill (H.R. 2492) making appropriations for the legislative branch for fiscal year ending September 30, 1996, and for other purposes, and ask for its immediate consideration in the House.

The Clerk read the title of the bill.

The text of H.R. 2492 is as follows:

H.R. 2492

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the Legislative Branch for the fiscal year ending September 30, 1996, and for other purposes, namely:

TITLE I—CONGRESSIONAL OPERATIONS SENATE

EXPENSE ALLOWANCES

For expense allowances of the Vice President, \$10,000; the President Pro Tempore of the Senate, \$10,000; Majority Leader of the Senate, \$10,000; Minority Leader of the Senate, \$10,000; Majority Whip of the Senate, \$5,000; Minority Whip of the Senate, \$5,000; and Chairmen of the Majority and Minority Conference Committees, \$3,000 for each Chairman; in all, \$56,000.

REPRESENTATION ALLOWANCES FOR THE MAJORITY AND MINORITY LEADERS

For representation allowances of the Majority and Minority Leaders of the Senate, \$15,000 for each such Leader; in all, \$30,000.

SALARIES, OFFICERS AND EMPLOYEES

For compensation of officers, employees, and others as authorized by law, including agency contributions, \$69,727,000, which shall be paid from this appropriation without regard to the below limitations, as follows:

OFFICE OF THE VICE PRESIDENT

For the Office of the Vice President, \$1,513,000.

OFFICE OF THE PRESIDENT PRO TEMPORE

For the Office of the President Pro Tempore, \$325,000.

OFFICES OF THE MAJORITY AND MINORITY LEADERS

For Offices of the Majority and Minority Leaders, \$2,195,000.

OFFICES OF THE MAJORITY AND MINORITY WHIPS

For Offices of the Majority and Minority Whips, \$656,000.